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Current Topics

The Birmingham Meeting.

THIS MEETING, the second day's proceedings of which we report elsewhere, must be considered one of the most successful provincial gatherings which the Law Society has ever held. There was a very large attendance; the papers were interesting and valuable, and the discussions were practical, terse, and to the point—there was a minimum of waste talk. We think that the fact of each day's papers being got through in the stipulated time constitutes a record. Everyone who was present has a grateful sense of the hospitality of the Birmingham Law Society.

The Michaelmas Cause Lists.

THE APPEAL list has increased from 120 at the commencement of the last sittings to 212 at the present sittings. There were 348 a year ago. The Chancery Cause List contains 408 causes and matters for hearing, as against 306 at the commencement of the last sittings and 423 a year ago. The total of the King's Bench Lists amounts to no less than 985 causes. There were only 891 a year ago, and 656 at the commencement of the last sittings. The effect of the Criminal Appeal Court on the work of the division is apparently beginning to be felt. The Probate, &c., Division has 473 causes, as against 363 at the commencement of the last sittings.

The Land Transfer Commission.

ONE REASON for the large attendance at the Birmingham meeting was no doubt the present crisis with regard to land transfer. The constitution and limited scope of inquiry of the Royal Commission elicited strong expressions of disapproval, and the resolutions which were unanimously passed—deploring the inadequate representation of solicitors on the Commission; suggesting the issue of a second warrant increasing the number of the commissioners and placing on the Commission a sufficient number of solicitors—provincial as well as London—experienced in conveyancing; asking for an enlargement of the terms of reference, so as to enable the Commission to inquire whether the experiment of compulsory registration of title should be continued, and that the evidence on the inquiry should be taken in public—were excellently framed. Surely the fact that out of twelve commissioners only one is a solicitor, and that he is actually a member of the body entrusted with the making of rules for the Land Registry, is outrageously unfair. How can the Land Registry witnesses be properly cross-examined? The Lord Chancellor has earned a reputation for straightforward fairness, and we can hardly believe that he will fail to give effect, to some extent, to the suggestions contained in the resolutions. It may, perhaps, be thought that a deputation to him from the Law Society and the Associated Provincial Law Societies might be more effectual than merely sending him copies of the resolutions. The question of the rules recently issued revolutionizing the practice in the Land Registry was not touched on in the above-mentioned resolutions. As we announced last week,

their coming into operation has been postponed until November 1st. Is not some effort to be made to secure a further postponement until the Commission has reported?

Compulsory Membership of the Law Society.

ONE OF the most important questions raised at the Birmingham meeting of the Law Society was that of the compulsory membership of the society, and the various points in favour of the adoption of this principle were very ably put by Mr. JOHN INDERMAUR in his paper on "Solicitors and the Protection of Clients and Compulsory Membership of the Law Society" (*ante*, p. 799). After referring to the rejection by the society of the proposals for the professional auditing of solicitors' accounts, he argued that the matter could not be allowed to rest there, or there would be outside interference which might be both disadvantageous and unjust to solicitors. His proposal is that every solicitor shall be bound to become a member of the society, with a view to the society exercising greater powers of discipline. The subscription would be provided by each solicitor on taking out his annual certificate paying a small additional sum to the society, and the society would have to be invested with statutory power to regulate the conduct of a solicitor's business. In addition, Mr. INDERMAUR proposed that clients should have the right to require the Council to investigate complaints as to dealings by solicitors with moneys of the clients in their hands. Apparently the Council would have power of expulsion. Mr. INDERMAUR moved a resolution recommending the scheme for the consideration of the Council, and after discussion this was unanimously adopted. But the discussion revealed some of the practical difficulties of the proposal, and we cannot profess to feel much confidence that it will be realized. Expulsion from the society must, of course, involve the loss of the certificate, and it is not easy to see how the disciplinary powers would be more effective than those which are already exercised, with much care and discretion, by the Council. Moreover, it is not clear what sort of rules could be made as to management of business except as to accounts, and the proper keeping of accounts does not seem to be necessarily associated with membership of the society. We agree that all solicitors should be members, but we are not sure that Mr. INDERMAUR has pointed out a practical mode of making them so.

Sale of Land Charged with Debts and Legacies.

WHERE LAND is charged by the will of a testator with debts and legacies and is devised beneficially in fee, the question whether the devisee can make a good title to a purchaser or mortgagee is attended with some difficulty, and the recent decision of SWINFEN EADY, J., in *Re Henson* (1908, 2 Ch. 356) usefully states the rule in the case where the devisee is also an executor. A distinction has to be made, in the first instance, according as the land is charged only with legacies or specified debts, or is charged with legacies and debts generally. In the former case the executor-devisee is not entitled to give a receipt as against the persons entitled to the legacies or to the specific debts charged on the land, and upon a sale or mortgage by him their concurrence must be obtained: *Re Rebbeck* (42 W. R. 473). But where there is a general charge of debts, or of legacies and debts, the rule is different; the purchaser is not bound to see to the application of the purchase-money, and he is safe if he takes a conveyance from the executor-devisee. The vendor can convey the legal estate as devisee, and in his capacity of executor he is entitled to receive the purchase-money for the purpose of applying it in the administration of the estate. It may be the same where he is devisee only: see *Colyer* v. *Finch* (5 H. L. C., p. 923), *Corser* v. *Cartwright* (L. R. 7 H. L. 731); but it is clearly so where he unites the characters of executor and beneficial devisee. And it is immaterial that at the time of the sale or mortgage there are in fact no debts unpaid: *Forbes* v. *Peacock* (1 Ph. 717); *Stroughill* v. *Anstey* (1 D. M. & G. 635). The power of the devisee depends on the intention of the testator as indicated by the general charge of debts. He is authorized to give a receipt generally for the purchase-money, and this authority does not cease when debts are paid, provided that there remain other purposes for which he may require to receive the money. The courts have had considerable difficulty in establishing rules under which land devised in such a manner can be sold, and the difficulties of the case have not yet been altogether removed. Where the land charged with debts or legacies has been devised to trustees, or has not been devised beneficially in fee or in tail, then the trustees in the one case, and the executors in the other, can sell under sections 14 and 16 of Lord St. Leonards' Act (22 & 23 Vict. c. 35). But that Act does not apply where there is a beneficial devisee in fee or in tail (section 18), and in such a case it is necessary to rely on such power of sale or mortgage as the devisee may have; that is, a title from him alone can be accepted if he is also executor, and if the land is charged generally with debts, or with debts and legacies. In *Re Henson*, accordingly, the title of a mortgagee from the executor-devisee prevailed over that of the legatees.

The Law Society's Examinations.

TWO OF the papers read at the Law Society's meeting at Birmingham last week dealt with educational questions, and they were followed by the passing of a resolution affecting the examinations held by the society. At present, side by side with the Preliminary, the Intermediate, and the Final Examinations, the Law Society conducts certain other examinations for studentships, three of which, each of the annual value of £50, are available only for candidates who are under nineteen years of age and who have not yet been articled. These are awarded subject to the conditions that the holder enters into articles of clerkship with a solicitor approved by the Council and pursues a course of legal studies also approved by the Council. The examination includes some subjects covered, and others not covered, by the Preliminary Law Examination, but the standard is, of course, higher. The President of the Bristol Law Society, Mr. H. C. TRAPNELL, urged that the utility of these examinations could be materially extended if candidates were offered not only a chance of securing a studentship—a chance open only to a few—but also some tangible advantage in the event of their obtaining marks qualifying for a pass certificate. The standard of attainment required in order to obtain such a certificate should be equivalent, at least, to that required in order to pass, say, in the first division of the London Matriculation Examination. Candidates so passing are, as is well known, entitled to a year's exemption. Mr. TRAPNELL accordingly proposed a resolution commending to the consideration of the Council the inclusion of this Studentship Examination as an optional division of the Preliminary Law Examination, the passing in which should entitle a candidate to a period of exemption under his articles. It is apparent that if this course were adopted a larger number of students would be attracted to the examination, with the consequence that its benefits would be more widely extended; there would also be an accretion of fees towards meeting the annual expense of the Studentship Examinations. The resolution was seconded by Mr. PENNINGTON, and was unanimously passed. Legislation will be required to give effect to it. The terms of the resolution very properly left open the exact scope of the new division of the Preliminary. It might well include subjects having some relation to the candidate's future profession. The Studentship Examination does include one such subject which at present is not included in the Preliminary—that of English Constitutional History. An elementary work on Logic could be usefully added. The educational requirements of thirty years ago are not quite adequate for the needs of to-day, and it is to be hoped that the optional division would gradually come to be regarded as indicative of the minimum test that should be applied to all candidates. The alteration now contemplated is to be commended as tending to promote economy in administration and efficiency in education. Much has been done of late to improve the legal education of students during articles; little has been attempted by way of improving the type of student. If more attention were given to the conditions regulating admission to the profession it is probable we should hear less than we do as to the necessity of maintaining its high character.

The Law's Delays.

THE NEW rules with reference to judges' summonses in the King's Bench Division (R. S. C. ord. 54, rr. 30 to 41) come into operation on the 12th inst., and their effect upon the progress and trial of actions will be watched with much interest. The particular defects which these rules and the new arrangement of judicial work are intended to remedy are: (1) The want of an authoritative control over a case in its initial stages, and (2) delay in trial and uncertainty when the trial will take place. In reference to the question of delay, a daily newspaper, in a communication on the effect of the new rules, gives publicity to a very highly-coloured representation of the delay which has hitherto been possible. After describing the various interlocutory applications which may be made, the writer says that, after a year of this sort of procedure, the case is set down at the bottom of a list of several hundred cases. And it is represented that this delay is due, first to the master, who fails to give the proper directions when the summons for directions first comes before him, and then to the solicitors—the solicitor for the defendant being able, unless he is exceptionally dull, to prevent the progress of the case, while the solicitor for the plaintiff is powerless to prevent him. As we have just stated, there are defects in the administration of justice, and these the new rules are intended to remedy. But it requires a very slight acquaintance with actual practice to realize that the statements which our contemporary has admitted to its columns are very wide of the mark. Masters are not so remiss as is represented in the performance of their functions under order 30, nor has the defendant's solicitor an unlimited power to delay the action by frivolous applications. The times for delivering pleadings are fixed so as to bring matters to a speedy issue, and then the plaintiff is in a position to enter the case for trial. There may be delay in the case being reached, but this has nothing to do with the master or the solicitors, and, when the case is reached, any interlocutory matters not then disposed of must be of a very serious nature to procure a postponement of the trial. Dilatory tactics on the defendant's part may do something, but not a great deal, to secure delay, and when an action is not ready to come on in the ordinary course, this is usually due to some special difficulty—either in the nature of the issues to be tried or in the procuring of evidence—which cannot be avoided. No one will deny that there is room for the improvement which the new rules are intended to effect. But at the same time it is absurd to represent the High Court as being governed at the present time by the spirit of *Jarndyce* v. *Jarndyce*.

Federation and Unification.

THE MOVEMENT in South Africa towards what is happily called "closer union" is progressing rapidly. The advantage of the neutral phrase "closer union" is that a too early differentiation into the open and professed advocacy of either federation or unification has been to a great extent prevented. It seems to be agreed on all hands in South Africa that some form of united government is essential, and the plan of unification appears to find more favour generally than the plan of federation. The disadvantages of a purely federal union are beginning to be felt in Australia, and the hands of those who uphold unification as the better system for South Africa should be greatly strengthened by an extremely able letter from the Australian correspondent of the *Times*, which appeared in the issue of the 3rd of October. The letter opens with the remark that the Commonwealth might be thought to have on hand enough problems to occupy its statesmen for many coming years; "our politicians should have need of a rest cure before they set to work on a bigger one than any yet mentioned. But a bigger one has already made its appearance, and may have to be fought out at an earlier date than people now think." This bigger problem is the question of unifying Australia, and dividing the country into smaller areas for local purposes than the present States, thus obliterating the existing State boundaries; this is, in effect, substituting a scheme of unification in place of the federation created in 1901, and about twenty "provinces" with purely local powers in place of six "States" jealous of some of their sovereign rights having been handed over to the Commonwealth. The constitution would have to be formally "amended," of course. But would such a drastic change be correctly described as an "amendment" of the constitution? The changes made in the existing constitution would be so considerable as to require a subsequent "consolidation" in order to have a reasonably intelligible document as the result.

The Royal Courts of Jersey and Guernsey.

SOME ATTENTION has been recently attracted to the Royal Courts of Jersey and Guernsey by an account of the election of a new "jurat" in Guernsey being published in the daily press: see the *Times*, the 3rd of October. A "jurat" is a member of the Royal Court, the full title of the jurats being *jurés justiciers*, or sworn justiciars. One peculiarity of the office of jurat is that they, although judges of the courts from whom an appeal lies to the Privy Council, are elected by the inhabitants of their island. A good many people are under the impression that you have to go outside the British Empire—to the United States, for instance—in order to find an elected judge. Another peculiarity is the form of oath taken by the jurat on his being sworn in. The Reformation took deep root in the Channel Islands, and perhaps this accounts for the fact that this oath is one that cannot be taken by a Roman Catholic. Part of the oath is (translated into English, but being actually taken in French): ". . . you will recognize his Majesty as Supreme Governor under God in all his kingdoms, provinces and dominions, renouncing all foreign and strange superiorities . . .": see Le Cras, Laws and Customs of Jersey (1839), p. 238. Apparently a jurat need not be a professional lawyer, and in this respect an analogy is to be found in the Manx deemsters. The Channel Island jurats, at any rate, receive no remuneration, their office being, like that of the English justice of the peace, purely honorary.

The Legal Profession in the United States.

THE BARRISTERS and solicitors of England, who view with anxiety the increasing bulk of the Law List, are not less fortunate than their brethren beyond the Atlantic. It is stated in one of the principal journals of New York that no calling in America is so overcrowded as that of the legal profession. No fewer than fifteen thousand students annually receive instruction in the ninety-eight law schools of the United States. The State of New York is possessed of nine thousand advocates, of whom four thousand only have offices of their own. The remainder barely obtain a livelihood by advocacy in the police or inferior courts or act as clerks to their more prosperous colleagues. The American Bar Association has come to the conclusion that unhealthy conditions have arisen as the result of the keen competition which prevails in the legal profession, and they have accordingly drawn up a code of etiquette which it is hoped may be generally adopted. This code contains thirty-two paragraphs, and deals, among other matters, with the practice of approaching the judges with unbecoming attentions or hospitality and with similar efforts to propitiate juries. The association also draw attention to the prevalence of agreements savouring of champerty, particularly in compensation cases, and also to the unseemly discussion of important criminal charges in the newspapers before they are disposed of by the courts.

Mistake in Delivering Verdict.

IN A RECENT case tried before the court of assize of the Department of the Seine, in which the question left to the jury was whether the prisoner was or was not guilty of the crime of which he was accused, the foreman of the jury rose and read out the verdict according to the prescribed form, "Upon my honour and conscience, and before God and mankind, the declaration of a majority of the jury is No." These words filled the jury with surprise, and the foreman, recognizing the mistake which he had made, hastily substituted the word "Yes." The advocate of the prisoner immediately prayed that the first declaration might be recorded. The court acceded to this application, but added to their judgment a statement that in the paper drawn up by the jury the word "Yes," and not "No," was plainly written. The question was reserved as to whether the *lapsus linguæ* of

the foreman was a ground for quashing their verdict. The point would, we imagine, be in this country free from difficulty. It is laid down in Co. Litt. 227*b*, that after the verdict recorded, the jury cannot vary from it, but before it be recorded they may vary from the first offer of their verdict, and that verdict which is recorded shall stand." Mistakes in the delivery of verdicts have been by no means unusual in the English courts, and where such a mistake is promptly corrected, any objection to the amendment would be considered as in the highest degree unjust and technical. In civil cases the refusal to allow such an amendment would probably result in a new trial, and although the criminal law of England does not allow a new trial, there is little chance of a prisoner escaping by the accident that the foreman of a jury said "Not guilty" when he meant to say "Guilty."

A Trial for Murder in Italy.

THE TRIAL of FILIPPO CIFARIELLO, which is now proceeding before the assize court of Campobasso, is a curious example of the dilatory procedure of the Italian courts. CIFARIELLO, a sculptor, is charged with the murder of his wife more than three years ago in a pension at Posilippo. The delay is in part due to the fact that the case was first heard before the assize court at Naples, and so much feeling was roused in that city over the merits of the case that the Court of Cassation made an order directing that the indictment should be retried in a place where the jury were not so likely to have formed an opinion without hearing the evidence. The case is proceeding with the deliberation which is usual in the Italian courts. A minute investigation of every detail in the married life of the prisoner is apparently regarded as indispensable to guide the jury in giving their verdict, and the Italian maxim "Patience, always patience" is duly regarded. In a similar trial some years ago the hearing occupied about twelve months. As, however, the persons charged in that case were of higher social position than the prisoner CIFARIELLO it is possible that the charge against him may be more speedily determined.

A Judicial Celebration.

AT THE annual dinner—in University parlance the "Gaudy"—of Exeter College, Oxford, on Tuesday last, the guests of the evening were Mr. Justice PICKFORD and Mr. Justice EVE; the majority of the other guests being mainly past and present members of the college connected with the legal profession. Without going very far back in legal history—although the college claims Sir JOHN FORTESCUE and Sir GEORGE TREEBY among the legal celebrities of the past—we may mention that the late Lord COLERIDGE, Sir JOHN COLERIDGE (his father), Lord Justice CHITTY and Mr. Justice KEKEWICH were all Exeter College men, but their connection with the college was as Fellows: they were not, as Mr. Justice PICKFORD and Mr. Justice EVE are, what the Rector of the College designated "home grown products," *i.e.*, they did not, like the two latter, receive their University education within the walls of the college. Although Exeter College is far from having a monopoly of the bench, Mr. Justice PICKFORD mentioned on Tuesday night that when he was Recorder of Liverpool all the chief legal posts in that city (except the county court judgeship) were filled by Exeter College men.

Freehold *versus* Leasehold.

ENGLAND may be said to be the home of leasehold land tenure. The preference for leasehold is illustrated by the provisions of the recent Small Holdings and Allotments Act, 1907 (now repealed by the consolidating Act of 1908). In all the oversea dominions, apparently, freehold is preferred. What was known in New Zealand as the "eternal lease"—a lease in perpetuity—has been found unpopular, and ordinary freehold ownership has for the most part taken its place. Now an agitation is going on with respect to the relative merits of freehold and leasehold in the African protectorates. It is said that the rubber and cotton lands of East Africa will not be properly developed under a system of leases, but that settlers, who are often pioneers in opening up new country, desire to have the opportunity of acquiring the freehold of their land.

Indemnity Against Breach of Trust.

IT does not seem to be the proper function of the writer of a text book to travel beyond the limit of decided cases and, without adducing any judicial authority, to attack transactions of frequent occurrence and which for generations have been regarded as within the protection of the law. Yet, with all deference to the learning and forty years' experience of the late Mr. LEWIN, we are bound to say that, as far as we can judge from a somewhat exhaustive examination of digests and reported cases, this is what he has done, in his standard work on the Law of Trusts, with regard to the matter mentioned at the head of this article. In that book (11th ed., at p. 403) we find it laid down that "in cases where there exists a mere shadow of doubt as to the rights of the parties interested, and it is highly improbable that any adverse claim will, in fact, be ever advanced, the protection of the trustee may be provided for by a substantial bond of indemnity. In general, however, a bond of indemnity is a very unsatisfactory safeguard, for when the danger arises, the obligors are often found insolvent, or their assets have been distributed." So far no exception can be taken to the statement. But the learned author goes on to say, "And if the bond be to indemnify against a breach of trust, the court is not disposed to shew mercy towards a trustee who admits himself to have *wilfully* erred by having endeavoured to arm himself against the consequences." He cites no authority for the last proposition, but we have traced it back to a passage in an introductory note in Davidson's Precedents (vol. 5, part 2, 2nd ed., at p. 670), where its meaning is explained as being, that the act of a trustee in taking an indemnity against a breach of trust will be *evidence, in an action for breach of trust*, that "he was conscious that his act was not in conformity with his duty." There is no suggestion that the indemnity will be void.

Further on in Mr. LEWIN'S book (p. 812) it is stated that "upon principle it would seem that a bond of indemnity [against breaches of trust] given to the retiring trustee would be a very doubtful security against the consequences of the act, for the bond itself, if found to be infected with fraud, could afford no just ground for action." Mr. LEWIN cites for this proposition Shep. Touch. 132, 371. The first-mentioned passage of Sheppard relates to illegal conditions annexed to estates in land, and need not be quoted. The secondly mentioned passage relates to the condition of an obligation, and states that "when the thing enjoined or restrained to be or not to be done by the condition is such a thing in its own nature as that the commission or omission thereof is *malum in se*, then not only the condition, but the whole obligation also, is void *ab initio*; and, therefore, if one be bound in an obligation with condition . . . that he shall save the obligee harmless against an unlawful deed . . . this condition is void and so makes the obligation and the whole deed void." With regard to this passage, it is somewhat surprising that Mr. LEWIN did not observe that in *Warwick* v. *Richardson* (cited by him and which we subsequently discuss) it was held by the Court of Exchequer that there was nothing "necessarily illegal or wrong" in the conduct of a trustee who takes an indemnity against a breach of trust. Perhaps, however, the reference in the passage in Lewin to the indemnity "being found to be infected with fraud" was intended to steer clear of the judgment of the Court of Exchequer. No one doubts, we should suppose, that an indemnity "found to be infected with fraud" would not afford just ground for action. The question is whether an indemnity given in good faith to a trustee against a past or contemplated breach of trust is void as being "infected with fraud." Is there any decision to the effect that such an indemnity is invalid?

The question seems to have arisen in 1842 in a case of *Warwick* v. *Richardson* (10 M. & W. 284). In that case one trustee of a will, R., with the consent of the other trustee, D., instead of investing a trust fund of £10,000 in accordance with the provisions of the will, retained and employed it in his own trade, giving his co-trustee D. a bond, conditioned to keep him indemnified against all actions, &c., on account of the trust fund or its retention by R. The sum was never accounted for by R. up to his death. In a suit of *Cooper* v. *Richardson* in Chancery by two of the beneficiaries, a decree was made whereby it was

declared that R. and D. were jointly and severally liable to pay the £10,000. D.'s executor thereupon claimed to recover that sum, with interest, from the personal estate of R. under the bond. R.'s executor contended that the bond was void in law. The Master of the Rolls sent a case for the opinion of the Court of Exchequer. Upon the hearing by that court, counsel for the defendant contended that the bond was given expressly that D. might not perform the duty imposed on him by the will, and was, therefore, void. But ALDERSON, B., interrupted the learned counsel with the remark, "You are making a court of law the judge of a matter which is for the cognizance of a court of equity. How can we tell that a court of equity would hold it to be a breach of trust? What violation is there of the common or statute law? And, in delivering judgment, he said "there is nothing to shew the court, sitting as a court of law, that there is anything necessarily illegal or wrong in the conduct of a trustee who has been a party to such an arrangement," and the court certified accordingly. The case of *Cooper* v. *Richardson* does not, so far as we can discover, appear in the reports of the Rolls Court, so that there is nothing to shew what was held by the court of equity. The decision in *Warwick* v. *Richardson* was cited as an authority by WILLES, J., in his judgment in *Taylor* v. *Chichester, &c., Railway Co.* (L. R. 2 Ex. 356); and in *Lord Newborough* v. *Schröder* (7 C. B. 342) an action on a covenant for indemnity against a breach of trust was admitted to be maintainable. Hence, up to the coming into operation of the Judicature Act, 1873, an indemnity against a breach of trust was, at law, at all events, valid and enforceable.

There is a suggestion, however, in one of the text-books that since section 25 of the Judicature Act, 1873—providing that in all matters in which there is any conflict or variance between the rules of equity and the rules of the common law with reference to the same matter, the rules of equity shall prevail—the result may be different. That, of course, depends on whether, before the Judicature Act, there was any conflict between the rules of law and equity in relation to the validity of an indemnity against a breach of trust; whether, that is, before that date such an indemnity was invalid in equity. We have not discovered any authority for the existence of such a rule in equity, and we think we may reasonably assume that if any decision on the point existed, it would not have escaped Mr. LEWIN'S notice. Moreover, the decisions of KAY, J., and the Court of Appeal in *Evans* v. *Benyon* (37 Ch. D. 329) shew, in the one decision expressly and in the other impliedly, that no such rule existed. In that case, in the events which had happened, a married woman had a general power of appointment by will over a settled trust fund, which, in default of appointment, was to go to her next-of-kin as if she had died possessed thereof intestate and unmarried. She requested in writing the surviving trustee of the settlement to distribute a portion of the trust fund among certain of her nieces, stating that as she "intended the five girls to have £1,000 each of my money whenever it pleases God to call me home, they may just as well enjoy the interest of it now as wait for it a little longer." The trustee agreed to make the distribution on receiving an indemnity, and upon the husband and wife covenanting to keep him indemnified against the sale of the stock in which the trust fund was invested and the distribution of the proceeds, he distributed such proceeds in accordance with the request. The married woman omitted to appoint by will in favour of the five nieces and died intestate, leaving the trustee one of her two next-of-kin; and subsequently her husband and also the trustee died. Then the trustee's executor commenced an action against the husband's executor to have the sum which had been wrongfully distributed made good out of the husband's estate under his covenant for indemnity. It was held by KAY, J., that the action must succeed. "What possible answer," he asked, "is there to the action? It is brought upon the covenant. The money is gone, and the trustee or his representative is entitled to the fullest possible indemnity. . . . The claim of the next-of-kin to have this money paid to them under the settlement seems to me to be unanswerable. If they can claim payment under the settlement, then *the right of the trustee to indemnity is equally unanswerable.*" This appears to be an express decision that an indemnity given to a trustee against a contemplated breach of trust is valid and enforceable in equity.

When the matter came before the Court of Appeal, it was pointed out by that court that the trustee, as one of the next-of-kin, was a beneficiary, and that as the object of the covenant for indemnity was only to indemnify the trustee from demands against him, as trustee, for breach of trust, it ought not to be construed as an undertaking to make good to him any loss which he, as a beneficiary, might sustain by the diminution of the trust fund, and on this ground the decision of KAY, J., was reversed. There is not a word in the arguments of counsel or the judgment of the Court of Appeal to intimate that an indemnity to a trustee against a contemplated breach of trust is invalid, and it is impossible to imagine that, if any such doctrine existed, it would have been overlooked by the eminent counsel (Mr. RIGBY, Q.C.) who argued the appeal or the learned and experienced judge, COTTON, L.J., who delivered the judgment of the court. If any such rule had existed it would, of course, have been said that it was unnecessary to consider the complicity of the trustee beneficiary, since the covenant for indemnity was void.

This decision of the Court of Appeal has subsequently been twice referred to by LINDLEY, L.J. (in *Chillingworth* v. *Chambers*, 1896, 1 Ch., at p. 697, and in *Crichton* v. *Crichton*, 1896, 1 Ch., at p. 875), but only on the question of a *cestui que trust* being estopped by his own acts from calling his trustee to account. We cannot, after search through the digests, discover any decision that an indemnity against breach of trust is invalid. If we have overlooked any case, we shall be glad to be corrected, but if we have not, we think we are entitled to conclude that the observations of the text-writers on this subject to which we have referred are not only without any foundation of judicial authority, but are really opposed to such decisions as exist.

Bequests of Debentures and Debenture Stock.

THE various forms of investment at the present day frequently lead to difficulty in the construction of wills where the testator has not been careful to use the exact technical description of the investments which he held, or to provide for a change in the investments between the date of his will and his death; but in the recent case of *Re Herring* (1908, 2 Ch. 493) JOYCE, J., declined to draw a distinction for the purposes of the will before him between debentures and debenture stock of a company, the rights under each security being substantially the same. Hence a bequest of "all my debentures" in the company was held to pass both debentures and debenture stock which the testator had at the date of his will and at the time of his death.

A similar question in regard to shares and stock arose in *Morrice* v. *Aylmer* (L. R. 7 H. L. 717), and was determined in the same sense. A testator made a bequest of "all such stock in the public funds or shares in any railway of which I may die possessed." He died possessed of £14,000 Three-and-a-quarter per cent. Stock, of £6,300 Stock in the London and North-Western Railway Co., and of sixty-three new shares of £12 10s. each in the same company, of which only £2 10s. per share had been paid prior to the date of the will. The question, as stated by Lord HATHERLEY, was "whether or not stock in a railway company would pass under the word 'shares' in a railway company, unaccompanied by any indication in the will to the contrary, that is to say, anything tending to shew that a distinction had been intended between the 'stock' of a company and the 'shares' in a company by the testator himself." In the earlier case of *Oakes* v. *Oakes* (9 Hare, 666) TURNER, V.C., had decided, upon a similar bequest of railway shares, that the bequest passed stock of the railway company which represented shares held by the testator at the date of his will, but not stock which he had purchased after such date. The word "shares," he said, was to be taken in its ordinary meaning, and did not pass the after-acquired stock, though he treated the stock representing the conversion of shares held at the date of the will as being in substance identical with

the shares. But the House of Lords in *Morrice* v. *Aylmer* considered that this drew a distinction between shares and stock which was not in accordance with ordinary language, or with any substantial difference between the two forms of holding in a company. Where a testator makes a distinction in his will between "shares" and "stock," then of course a different construction will prevail. Where, however, the reference is simply to "shares," there is no such difference between shares and stock as to prevent stock from passing under the bequest. *Oakes* v. *Oakes*, accordingly, was overruled.

It is going somewhat further to say that a bequest of shares in a company will pass debenture stock, and CHITTY, J., declined to do this in *Re Bodman* (1891, 3 Ch. 135), where the testator had both shares and debenture stock in a company at the time of making his will and at his death. The learned judge stated the result of *Morrice* v. *Aylmer* as being that the term "shares" is sufficient to pass the testator's interest in the joint stock or capital of a company, whether the capital consists only of shares, properly so called, or of consolidated stock. In substance stock and shares are identical. And there is a considerable resemblance between stock and debenture stock. Debenture stock, said JAMES, L.J., in *Attree* v. *Hawe* (9 Ch. D. 337), "is nothing but preference stock with a special preference." But while this may have been sufficiently accurate for the purpose of that case, CHITTY, J., held that the *dictum* could not be taken as an authority for treating the word "shares" in a will as including debenture stock, at any rate where the testator had shares properly so called. "Debenture stock stands in a materially different position from that occupied by proprietary or capital stock of the company; in other words, debenture stock is borrowed money capitalized for purposes of convenience."

If a testator refers to an investment in such language as to shew that he does not know its exact nature, it is, of course, easy to apply it to an investment possessed by him at the date of the will which is sufficiently indicated, though inaccurately described. This was the case in *Re Nottage* (1895, 2 Ch. 657), where a testator made a bequest of "£500 debenture stock or shares" of a specified company, and also a bequest of ordinary shares in the same company. The company had issued debentures, but it had no debenture stock, and the testator held debentures and ordinary shares in the company at the time of making his will and at his death. It was held by the Court of Appeal that the debentures passed under the bequest of "debenture stock or shares." The reference to ordinary shares shewed that the expression "debenture stock or shares," was intended to describe a different kind of investment of which the testator did not know the exact technical name. He was, as RIGBY, L.J., observed, "dealing with something which he possessed, describing something of which he did not know what the description ought to be." The testator referred to whatever interest in the company he possessed of the nature of debentures, and hence the bequest passed the debentures in the company.

And considerable latitude is allowable in construing the name of an investment where the testator has at the date of the will no investment actually corresponding to the name. Thus in *Re Weeding* (1896, 2 Ch. 364) a testatrix bequeathed all her shares in two specified railway companies. She never had any shares in either company, but at the date of her will she had debenture stock in each company which she continued to hold at the time of her death. NORTH, J., held that the debenture stock passed under the bequest. "I quite agree," he said, "that if the testatrix had had any shares in one of the companies debenture stock of that company could not pass, because there would have been something properly described by the gift, and there would have been no reason for giving any extension to the meaning of the words. But here words are used which do not accurately describe anything which the testatrix ever had. No doubt she intended to pass something, and there is nothing except the debenture stock on which the gift can operate."

In the present case of *Re Herring* (*supra*) there was not the same reason for departing from the literal meaning of the word used. The testator had at the date of his will, and also at the time of his death, both debentures and debenture stock in the company, and hence the bequest of all his debentures in the company would have been satisfied literally by confining it to debentures properly so called. But this would have been opposed to the principle on which *Morrice* v. *Aylmer* (*supra*) was decided. For practical purposes debentures and debenture stock are as closely related as shares and stock in the capital of a company. Both debentures and debenture stock confer interests in borrowed capital, and in the circumstances of the particular company in *Re Herring* the natures of these interests were substantially identical. Hence, to have construed the word "debentures" so as to exclude the debenture stock would have been to give it an undue restriction. "After reading and re-reading the various judgments in the case of *Morrice* v. *Aylmer*," said JOYCE, J., "it appears to me that to hold that 'debentures' in this bequest meant something different from, and something which would not pass, the testator's debenture stock in this company would be putting a meaning upon the term 'debentures' so technical as to be in opposition to the ordinary use of the word." In *Re Lane* (14 Ch. D. 856) HALL, V.C., held that a bequest of "all my debentures" did not pass debenture stock into which debentures held by the testator at the date of his will had been subsequently converted under an option conferred upon him. It will be difficult to support this after the present decision in *Re Herring*, which is more in accordance with the probable intention of testators. Unless a testator has carefully described particular investments, words which he uses will best carry out his intention if construed liberally and in accordance with ordinary usage.

Reviews.

The Annual Practice.

THE ANNUAL PRACTICE, 1909: BEING A COLLECTION OF THE STATUTES, ORDERS, AND RULES RELATING TO THE GENERAL PRACTICE, PROCEDURE, AND JURISDICTION OF THE SUPREME COURT. WITH NOTES, FORMS, &c. By THOMAS SNOW, M.A., Barrister-at-Law; CHARLES BURNEY, B.A., a Master of the Supreme Court; and FRANCIS A. STRINGER, of the Central Office, Royal Courts of Justice. IN TWO VOLUMES. Sweet & Maxwell (Limited); Stevens & Sons (Limited).

With commendable promptitude the new issue of the White Book marks the beginning of the legal year, and there are additions which make it this time of exceptional interest. The chief of these are the rules as to patents and designs of the 3rd of June, 1908 (Order 53A), which have been made in consequence of the transfer to the High Court under the Patents and Designs Act, 1907, of the jurisdiction as to the extension of patents formerly exercised by the Privy Council; the rules as to Judges' Summonses in the King's Bench Division; the rules as to Short Causes in the Admiralty Division; and the new arrangements as to the assignment of business in London and on circuit. These arrangements are given in Vol. II., which, as in recent editions, includes the Judicature Acts, fully annotated, and other useful matter, such as the Arbitration Act, 1889, the relevant sections of the County Courts Act, 1888, and the Solicitors' Remuneration Act, 1881, and General Order thereunder. The editors have also included this time the British Law Ascertainment Act, 1859, which, though perhaps not much used, may be of service in the settlement of such a case as *Re Moses* (1908, 2 Ch. 235), where questions of South African law were involved. Apart from these additions, the plan and arrangement of the work seems to be unchanged, and, as hitherto, the practitioner will find it an invaluable guide on points of practice.

Books of the Week.

The Annual Practice, 1909: being a Collection of the Statutes, Orders and Rules relating to the General Practice, Procedure and Jurisdiction of the Supreme Court; with Forms, Notes, &c. By THOMAS SNOW, M.A., Barrister-at-Law; CHARLES BURNEY, B.A., a Master of the Supreme Court; and FRANCIS A. STRINGER, of the Central Office, Royal Courts of Justice. In Two Vols. Sweet & Maxwell (Limited); Stevens & Sons (Limited).

The Law Relating to Factories and Workshops (Abraham and Davies). Part I.: A Practical Guide. By MAY E. ABRAHAM (Mrs H. J. Tennant), formerly one of her late Majesty's Superintending Inspectors of Factories. Part II.: Acts relating to Factories and Workshops, with Explanatory Notes. The present edition by ROWLAND BURROWS, Esq., LL.D. (Lond.), B.A. (Cantab.), Barrister at-Law. Sixth Edition. Eyre & Spottiswoode (Limited).

The Secretary's Manual on the Law and Practice of Joint Stock Companies; with Forms and Precedents. By JAMES FITZPATRICK, F.C.A., late Lecturer on Accountancy to the London Chamber of Commerce, and T. E. HAYDON, M.A., Barrister-at-Law. Twelfth Edition. Jordan & Sons (Limited).

The Public Health Acts Amendment Act, 1907 (7 Edw. 7, c. 53); with Notes. By A. F. JENKIN, Esq., and C. D. G. DRAYTON, Esq., Barristers-at-Law. Together with a Circular of the Local Government Board on the Act, and an Index. Chas. Knight & Co. (Limited). 8s. net.

The Incorporated Accountants' Year Book: comprising List of Members, Articles, Bye-Laws, Examination Papers, and Library Catalogue. Price 2s. Published by the Society of Incorporated Accountants and Auditors.

Bye-Laws as to House Drainage and Sanitary Fittings made by the London County Council. Annotated by GERARD J. G. JENSEN, C.E., and another. Containing References to the Bye-Laws of Various Other Cities in the United Kingdom. Second Edition. The Sanitary Publishing Co. (Limited).

Council of Legal Education Calendar, 1908–9. Offices of the Council.

Time Limit—Monopoly Value and Compensation: A Criticism of the Licensing Bill, 1908. By MICHAEL CABABÉ, Barrister-at-Law. Effingham Wilson., 1s. net.

Important Decisions Regarding the Working of German Patents, as well as Literal Translations of the German Patent Law, of the Act for the Protection of Gebrauchsmuster (German Utility Model Patent), and of the German Law for the Protection of Trade-Marks, with German Technical Phraseology (in Parentheses) of German Patent Rule and Practice. By PATENTANWALT SELMAR REITZENBAUM. Asher & Co.

Societies.

The Law Society.

ANNUAL PROVINCIAL MEETING.

The proceedings at the Provincial meeting of the Law Society at Birmingham were continued on Thursday, the 1st inst., in the Council Chamber, the PRESIDENT (Mr. J. S. Beale, London) taking the chair.

THE LIABILITY OF EMPLOYERS FOR ACCIDENTS TO EMPLOYÉS.

Sir JOHN GRAY HILL (Liverpool), a member of the Council, read the following paper:—

I select this title for my paper because the title of the Workmen's Compensation Act is a misnomer. That statute applies to a vast multitude of people who are not workmen in the ordinary sense of the word, and to a liability which goes far beyond the duty to requite a wrong which is usually implied by the word compensation. My experience of the working of the Workmen's Compensation Acts of 1897 and 1906, and of the better named Employers' Liability Act of 1880, has been almost entirely from one point of view—viz., that gained in investigating and dealing with a very large number of cases arising under those statutes on behalf of a certain class of employer. I have acted in this way for many years for large associations of shipowners in regard to accidents arising in the loading and discharging of ships, and in the repair of ships by the owner's own shore staff, and since the Act of 1906, also in reference to accidents to the officers and crews of ships, who with pilots it will be remembered for the first time became entitled to claim against their employers by virtue of the last-named Act. But I do not put forward my views on behalf of shipowners or any other employers. I only express the opinions which I personally have formed from my own experience. And I fully recognize that allowance must be made for the fact that that experience, although very extensive, is derived from one side of the question only, and that experience derived from the other side has an equal claim to public attention. I wish to speak rather of the policy and general effect of the Acts than of the different legal points which have arisen on the interpretation of them, although I shall have to refer to a few of these. There can be no doubt that long before 1880 the common law doctrines of common employment and *Volenti non fit injuria* had become unsuited to the modern state of industrial employment. That which was not unreasonable where the number of workmen was small, the plant and machinery simple, and the employer (who was, of course, always liable for his personal negligence) himself superintended the work, ceased to be reasonable when the number of workmen became large, the plant and machinery complicated, and the superintendence was entirely deputed to others. Turning to the Employers Liability Act, 1880, Sir JOHN GRAY HILL said the Employers' Liability Act, 1880, very properly violated the doctrine of common employment by making the employer liable for the condition of the ways, works, machinery or plant used in his business due to the negligence of his superintendent as well as to his own, and also by making him liable generally for the negligence of any superintendent or person in his service to whose orders the workman was bound to conform and did conform, or for the act or omission of any person in his service in obedience to rules or bye-laws of the employer, &c. And in regard to railways the Act rightly made the employer liable for the negligence of any person in the service having the charge or control of any signal, points, locomotive engine or train, because such a person's employment was entirely apart from that of the others employed and removed from their influence or observation. There are certain limitations and qualifications of these provisions contained in the Act of 1880 to which I need not refer, but I would remind you that the limit of liability which it fixes is three years' estimated wages of a person in the same grade, &c., as the person injured or killed. This Act did not apply to domestic or menial servants or to seamen, but otherwise, generally speaking, applied to all engaged in manual labour. It did not make the employer liable where there was contributory negligence on the part of the employé. It would, I think, have been justifiable in 1880 to go farther than this Act, and to adopt the law contained in the French Civil Code (Art. 1384) which also prevailed in those countries whose laws are based on the Code Napoleon (such as Belgium, Italy, and Spain) whereby all employers were made liable for the negligence of their employés, whether to strangers or co-employés, the fact of common employment not constituting any exception to the general rule. Probably, however, it might have been preferable to adopt a compulsory system of insurance dealing with injuries as well as sickness, to which both employer and employé should contribute, such as now exists in Germany and Austria. But the Workmen's Compensation Act, 1897, introduced an entirely new system by which not merely the doctrine of *Volenti non fit injuria* was abolished, but exclusive liability was thrown on the employer for all accidents to employés arising out of and in the course of the employment. And this system has since been followed in a general way in many continental countries and British dependencies. The only exception contained in this Act was where it was proved (the onus was on the employer) that the accident was attributable to the serious and wilful misconduct of the employé. Thus mere contributory negligence became no longer a defence. But there was no liability where the workman's incapacity did not last for two weeks. The liability in case of death was a sum equal to the earnings with the same employer during the previous three years, or if the period of employment were less, then 156 times the average weekly earnings during the actual employment, with a minimum of £150 and a maximum of £300, payable to dependants of legitimate relationship in case of total dependency; and in case of partial dependency a sum agreed on, or, failing agreement, a sum settled by arbitration under the Act, not exceeding in any case £300. In case of injury an allowance was made after the second week of half the average weekly earnings with the same employer during the previous twelve months if so long employed, but if not, for any less period in the same employment, the allowance not to exceed £1 a week; and no limit was fixed to the period or total amount of the allowances, so that the employer was liable to make them to the employé who was permanently injured for the rest of the life of the latter, subject to a power to redeem by a lump sum payment to be fixed in each case. Under this Act contracting out was for all practical purposes forbidden. The proceedings to be taken to deal with questions arising under the Act were absurdly called an arbitration, but in practice consisted of litigation in the county court with the ordinary rights of appeal. This statute caused a vast increase in the liability of many employers, and made them practically the insurers of their employés so far as regards accidents. But the Act was confined to certain trades conducted on land, in which there was unusual risk, and did not include domestic or menial servants. It was extended to agricultural and similar employments in 1900. So badly was the Act of 1897 drawn by one assembly which has little skill in draughtsmanship, and so readily adopted by another assembly which has the skill, but is afraid to use it, that a vast amount of litigation was necessary to ascertain its meaning. How many obscure enactments have proceeded from the House of Commons which might easily have been made clear if referred to legal experts to put into shape! But let us console ourselves; for if that House were blessed with the common sense necessary for this purpose, what would become of the lawyers? Then came the Act of 1906, which is now in force. This includes domestic and menial servants, officers and crews of ships, and, with certain unimportant exceptions, every employé, unless he is employed otherwise than by manual labour *and* his remuneration exceeds £250 a year. Observe the class legislation in the last provision. Not a few men employed by manual labour can earn over £250 a year, but however greatly the remuneration of such persons exceeds that sum, they are entitled to the benefits of the Act; whilst the clerk, shipmaster, or other man who is paid for brain work receiving this remuneration gets no benefit. Is the explanation that the Labour members look after their own class exclusively and neglect the interests of all others who are in the like case? It was not they who made the proposal to include domestic servants which was carried, but a Conservative M.P. As "tips" are included in earnings,* perhaps waiters and others may earn as much. But the benevolent decision which laid this down may give rise to much false swearing, for who can check the average weekly amount of the tips alleged? The new Act does not diminish in any material way, but in four ways further largely extends the liability of employers as established by the Act of 1897.

(1) It provides that where the injury results in death or serious and permanent disablement, even if it is proved to be attributable to the serious and wilful misconduct of the employé, the employer is still to be liable.

(2) It gives illegitimate relations being child, grandchild, parent or grandparents of the deceased the right to claim as his dependants.

* *Penn* v. *Spiers & Pond* (1908, 1 K. B. 766).

(3) In case of injury the weekly allowance, where the employment has been for less than twelve months, and it is impracticable to ascertain the average wages (which is frequently the case with men engaged by the day), is based not on the average wages earned from the employer, but by men working in the same grade in the same class of employment in the same district, so that a drunkard or idler who only works occasionally *may* recover on the basis of the earnings of a steady man in regular employment. In the case quoted below* the county court judge tried to make a distinction between the grade of a good workman as regards regularity of employment and a bad one, but the Court of Appeal benevolently quashed the attempt.

(4) It makes the weekly payments begin after the first week.

The injustice of the Act of 1897 which made the employer liable for accidents over which neither he nor his employés had any control was great, but the injustice of the first three of the new provisions in the Act of 1906 is outrageous. Serious and wilful misconduct often consists of intoxication. Is it not outrageous that an employer should be liable for the consequences of the drunkenness of the man he employs? Is it not outrageous that the employer should be liable to illegitimate dependants of the employés? How is the illegitimate relationship to be ascertained? Obviously where the intercourse between the man and woman in question has been of a passing character, as of the proverbial sailor with a wife in every port, it cannot be satisfactorily proved. And having regard to the looseness of the tie between men and women who live together without being married, even continued cohabitation with the deceased would not be really satisfactory proof that he was the father of a child claiming as a dependant. Indeed any woman may swear that any dead man was the father of her child, a benevolent county court judge may be found to believe her statement, and his judgment being on a question of fact will not be reversible on appeal. This is a most serious departure from the principles of British law, and opens the door wide to fraud and perjury, while it removes one of the restraints upon immorality. Is it not outrageous that the employer who has merely employed a man for half an hour should have to pay him an allowance on a basis which has no relation to the work the man has done for him, and the wages he has paid, but is fixed by wages earned by other men for other employers? The provision making the weekly payment begin after the first week instead of the second has greatly increased the number of claims. There are very many cases of slight injuries from which in a fortnight there is a recovery. The most important questions which arose under the Act of 1897, and still arise under the new Act, are: (1) What is a personal injury by accident (whether the injury results in death or not)? (2) When does an accident arise out of and in the course of the employment? (3) What is serious and wilful misconduct?

As to injury by accident, the disease of anthrax caught by the handling of an infected hide, was held to be such an injury under the Act of 1897,† and this is important as a guide, notwithstanding that anthrax is specifically included in the Act of 1906. But the last decision on the later Act by the House of Lords,‡ gives the widest extension to these words yet given by any court. The claim was made by the dependants of a "trimmer" on board the s.s. *Majestic*, who died on the ship from what is called "heat stroke." He was of poor physique, had had no previous experience as a trimmer, but engaged himself in that capacity. He had to "draw ash pits," that is, rake out ashes that had fallen from the furnaces. While doing this, nothing unusual having occurred, he fell down in a faint, and, notwithstanding the application of remedies, died. The ventilation was in good order, the temperature, though high (96 deg.), was usual, and all the conditions of the employment were normal. "Heat stroke" is not uncommon amongst firemen, but is usually harmless. The death was really due to the man's low state of vitality. Yet the House of Lords, by two to one, held this to be a personal injury by accident resulting in death. The Lord Chancellor, after stating that the physical disability could have nothing to do with the question of accident, said: "What killed him was a heat stroke coming suddenly and unexpectedly upon him while at work. . . . It was an unlooked-for mishap in the course of his employment. In common language it was a case of accidental death. I feel that in construing this Act of Parliament, as in other cases, there is a risk of frustrating it by excess of subtlety, which I am anxious to avoid." There is no disputing a decision of the House of Lords. But I am afraid that this one will not put an end to subtlety. Questions on it will arise fit only for the determination of that old serpent who was the most subtle of the beasts of the field. A Lord Chancellor is infallible; otherwise I should have thought that an ordinary user of common language would not have called this an accidental death, but a death arising from a weak man undertaking work beyond his strength. The term "heat stroke" seems to imply violence, but it is merely an illness caused by heat. It is a result of the occupation which would have been foreseen by any ordinary reasonable man, although this poor man may not have foreseen it. The result seems to be that the employer is made liable for what any inexperienced unfit man may suffer in his employment from a cause outside of his body, if it is unexpected by him and sudden. Let us apply this principle to the case of a housemaid in delicate health. She opens a window for ventilation on a cold day, and a chill unexpected by her "strikes" her, bringing on illness. Or she is sent on an errand for her mistress, and omits to take umbrella or cloak, when a storm of rain comes on, suddenly and unexpected by her, although the state of the barometer and the overcast sky might have warned a reasonable person, and wets her with a like result. Or being in the last stage of a decline (but kept on in service out of kindness in some very light employment) her heart fails, owing to the exertion of opening or closing a door which suddenly and unexpectedly sticks in the motion, and she dies. In these cases upon this reasoning is there not a personal injury by accident? Or we may go further. Medical men tell us that many diseases arise from evil disposed microbes coming upon the human body from without. If their coming arises out of and in the course of the employment, and causes disease injuring or killing the body, and if their coming is sudden and unexpected by the employé, then is not the employer liable? If, for example, the delicate housemaid's nose or mouth is entered by microbes rising suddenly and unexpected by her from her sink (and what housemaid expects an invasion of microbes?), or if a similar entrance is effected from a drain while she is on an errand in the streets, and in either case illness results, is there not a like liability? An eminent physician who has deeply studied the disease of tuberculosis, informs me that about one-third of the cows in this country are tuberculous. If our friend the housemaid imbibes the microbes of this disease from the milk supplied by the family milkman (inasmuch as her partaking of food and drink in her master's house is in the course of her employment), and develops consumption, and it can be shown by medical evidence that the microbes were not always in the milk, but came suddenly, and by the evidence of the housemaid that she did not expect them, is not this also a personal injury by accident? The anthrax case points towards the affirmative, and so does the trimmer's case. If there is a distinction in the above cases, where is the line to be drawn? In one recent case* an unsuccessful attempt was made to induce the Court of Appeal to hold the London County Council liable for enteritis contracted from inhaling sewer gas which was a necessity of the employment. But suppose the workman had been unused to the work, and the gas came in a sudden and to him unexpected puff, would not this be within the Act? An attempt will be made to draw a new distinction with each variation in the circumstances. In instances like those suggested I doubt if any ordinary human being would call the case one of personal injury by accident, but the judges may be forced by the decision in the trimmer's case to do so. The specifying in the Act of certain industrial diseases as entitling the employé or his dependants to claim as if they were a personal injury is not material, because the Act reserves the right to claim in respect of any other disease which is a personal injury by accident. It is to be observed that the Act enables the Secretary of State to add any disease he may select to the list which it contains; he has already added a good many, and political pressure may induce him to add more. The way in which the courts have extended the meaning of the words "arising out of and in the course of the employment" is well known. The employment has been held to begin before it has really begun, to be lasting while it is at a pause, and to end after it has really ended, and yet there is no certain guide to be obtained from the decisions. In one of the latest cases† a nice, although no doubt a correct, distinction was drawn. An employé was eating his dinner in a stable where he was employed. The stable cat bit him, causing blood poisoning. This was held by the Court of Appeal, affirming the county court judge, to be an accident arising out of and in the course of his employment, although the court said if the cat had been a strange one the case would have been totally different. Another benevolent decision under the Act of 1897, which is applicable to the Act of 1906, was that of the Court of Appeal in 1903‡ holding that the allowances for injury could not be stopped merely because the injured man declined to submit to an operation. In this case Collins, M.R., said there was nothing in the Act which imposed on a workman an obligation to submit to a surgical operation. This decision has had a very wide-reaching effect. Some employés prefer to remain incapacitated rather than to work. Here is their opportunity. Surely if the operation advised by competent surgical skill is such as a reasonable man who was not drawing compensation allowance would undergo in order to get well, the refusal to undergo it should stop the allowance. There were two previous decisions to the contrary effect in Scotland,§ but the Court of Appeal disregarded them. *Rothwell* v. *Davies* may have an effect going beyond a case of operation. I have now the following case under consideration. A docker received an injury to the forefinger of his right hand, causing the two upper joints to become rigid. He cannot work until they are amputated. This can be done painlessly either with or without anæsthetics. He refuses to submit to the operation, preferring his weekly payments. There is nothing in the Act to require a workman to submit to any medical treatment of any kind, to take care of himself, or make any effort to get well, not even to wash and be clean. If he is minded to remain ill, and take his allowance, can he not do so? With the aid of a little medical evidence, he at any rate manages too frequently to do so now. The bacillus of leprosy which must have assailed Naaman the Syrian probably arose out of and in the course of his employment, and was, I presume, on the authority of the anthrax case, an accident. If he had come under the Act, and had persisted in his refusal to dip seven times in Jordan, the Court of Appeal would probably, on the authority of *Rothwell* v. *Davies*, have refused to stop his allowance from his employer the King of Syria. Such is the

* *Perry* v. *Wright, &c.* (1908, 1 K. B. 441)—Cozens-Hardy, M.R., said: "I am not prepared to say that the age and habits of the individual may not have such an influence on his chance of employment as to deserve consideration;" and Fletcher Moulton, L.J., spoke more decidedly in the same sense. But in practice it is very difficult to prove the facts which make the real distinction between one man and another.

† *Brintons* v. *Turvey* (1905, A. C. 230).

‡ *Ismay* v. *Williamson* (*Times*, August 1, 1908).

* *Broderick* v. *London County Council* (24 T. L. R. 822).

† *Rowland* v. *Wright* (24 T. L. R. 852).

‡ *Rothwell* v. *Davies* (19 T. L. R. 423).

§ *Anderson* v. *Baird & Co.* (40 S. L. R. 263), and *Dowds* v. *Bennie* (40 S. L. R. 289).

result of benevolent construction.* It is indeed to a great extent the uncertainty as to how far the benevolence of the judges of the various courts can be stretched which creates the uncertainties under the Act. Certain county court judges are run after by claimants because of their tendency to find against the employer, and the humanitarian impulses of higher judges are considered on the question of appeal. Thus, to my mind, the subtleties will remain, and we may return to our homes much comforted in mind, for our occupation is not gone. There are various decisions upon what is "serious and wilful misconduct" which create difficulty in understanding the meaning of the phrase, but as it has become of minor importance since the Act of 1906 I shall pass them by. Two very recent cases before the Court of Appeal illustrate, however, in a striking way the injustice of the provision that such conduct is no bar to a claim by dependants in case of death. A ship's steward went on shore while the ship was discharging cargo, and while he was at liberty to do so. Coming back to the ship partially under the influence of drink, he returned by means of the cargo skid, in order to escape the observation of his condition by the ship's officers, instead of returning by the ordinary gangway which was quite safe, and in returning in this dangerous way fell down the open hatch and was killed. The employer was held liable.† A fireman went ashore from the vessel. When returning he was under the influence of drink, and refusing the aid of the night-watchman and policeman slipped off the gangway and was killed. No evidence as to the occasion of his going ashore was given, but an entry in the log was put in to the above effect. The deputy county court judge benevolently inferred, without any proof, that this was in the course of his employment, and held the employer liable. This, however, was reversed by the Appeal Court, who considered that if this was the case the fact should have been proved.‡ But in neither of the above cases could the semi-intoxicated or wholly drunken state of the man be taken into consideration. Yet in both cases the death was directly or indirectly due to that state. The only point which was or legally could be considered was whether the accident arose out of and in the course of the employment. It does not require a strong imagination to conceive of cases where such a state of the law as this may lead to what would be equivalent to murder. Relations, legitimate or illegitimate, who would benefit by the sum payable on death, or by the allowance for a permanent injury, and who have no love for the man in question, might readily be tempted to ply him with drink when about to proceed to work involving danger to anyone the worse for liquor, and that in a way which would render detection impracticable, even if the manner in which he got the drink were ever likely to be inquired into. Another point which is unjust to the employer is that the proceedings under both the Employers' Liability and Workmen's Compensation Acts are always conducted at his exclusive risk as to costs. No security for costs can be obtained except on appeal, and the amount fixed by the Court of Appeal for security (generally £10 or £15) is always quite insufficient to pay the taxed costs of the respondent. This again is benevolence. But surely the security ought to be real, and not fictitious. On appeal to the House of Lords security is, of course, necessary. The claim is often supported by a labour union with ample funds, but as they are not technically parties to the proceedings they are not liable. I recognize that it would be very difficult to introduce security for costs as a general rule into the so-called arbitration in the county court, because of the case of the poor man not belonging to a union having a legal claim, but I think the judge should have discretion to require security to be given when a labour union is really conducting the case. The employé is also favoured in other ways under the Act. If employed by a contractor he can proceed against the person with whom the contractor agrees to do the work, as if the person (called in the Act "the principal") were the employer of the men. In case of the insolvency of the employer, the employer's right against his insurers is transferred to the claimant; and to the extent of £100 the latter is a preferential creditor. But these provisions, although unreasonable and specimens of class legislation, are of minor importance. There is, however, another provision giving the employé an advantage over all other litigants which is very material. It is the exemption of the claimant from payment of court fees prior to award. This encourages speculative claims, and there is no justification for it. Why are employés or their dependants to be placed in a better position in this respect than the ordinary poor litigant in the county court? One result is that the fees paid by the latter are used to support the court which allows entrance free to the former. Again, when a weekly payment has been awarded by the court or agreed upon between the parties and a memorandum recorded, and the employer is advised that the man has recovered, he has to apply to the court for leave to stop the allowance, and, pending the hearing of the application, he must still continue it, although the man may be perfectly recovered. Seafaring men have a special advantage in this way. When the accident happens and the incapacity commences on board a ship, it is not necessary (except in the case of the master) to give notice of the accident. This may be not unreasonable when the crew is small; but where, as in the great liners, it is numbered by hundreds, and divided into different departments, as seamen, engineers and firemen, stewards, &c., and a minor accident happens, it may well not be known to the master unless notice is given. The ship arrives, a man being what is known as a sea lawyer having met with a slight accident on the voyage is paid off, and, consulting a solicitor of the landshark type, waits till the ship sails again, and then brings forward his claim. The shipowner has no information, and asks for the proceedings to be delayed until the return of the ship. This is opposed unless an interim weekly payment (with costs) is made, and benevolent county court judges are found to make this condition a term of the delay. If the claim turns out to be groundless, the payment cannot be recovered, so the shipowner is probably forced into giving a lump sum to be rid of the case; or perhaps he makes the weekly payment, and awaits the return of the ship, and when she arrives again and he learns that the claim is groundless, and produces his witnesses to prove the fact, the case is simply dropped, the man disappears, at any rate is impecunious, and the shipowner has to lose the weekly payments made as well as his costs. What is the effect upon employers of this legislation and the decisions of the courts under it? It is true that against all the liabilities created by the Act the employer can, and when he is in a large way generally does, insure. But the premiums must include a profit to the insurer, and probably, having regard to the establishment and management expenses of the latter, the commission which he has to pay to his agents, and the profit he must make for himself, the premiums will in the end amount to an addition of from 40 to 50 per cent. to the value of the risk run. It is said that accident business in this country has not hitherto been in general a remunerative one, and premiums have risen. Nor can they fail to continue to rise further as the effect of the Act of 1906 and the decisions under it become better appreciated. Insurance companies may rush in at unremunerative rates in order to get the business, but they must live, and when they have got it they must raise their rates to a serious extent. The premium already charged where special risk of accident is incurred is a heavy burden upon the employer. For instance, the rate against liability for men working at steamships in Liverpool in loading and discharging, to cover only claims under £100 (those of £100 and upwards being covered by the shipowners in their association), varies from 4½ to 7 per cent. on the amount of the total annual wages paid. When to this is added the cost of covering claims amounting to and exceeding £100, and of covering liability for the officers and crews, it will readily be seen that the protection against the risks under the Act casts a very considerable burden upon shipowners.* It must be remembered that many small employers and householders never think of insuring, oblivious of the fact that they expose themselves to the risk of claims sufficient to drive them into bankruptcy. Why should they be forced to insure or to face ruin any more than the employé? Yet how important it is for the country not to overweight such employers, who have enough to contend with already in their competition with the great industrial concerns! What is the effect of this legislation upon the employé? As the working of the Act of 1906 gets more widely known it must tend much more than the Act of 1897 did to restrict employment, and especially to drive out of work men and women of weak physique, or getting into years, who run greater risks than others, and by this means to add to the great army of the unemployed and unemployable. The Act of 1897 certainly had that effect in regard to the employments coming under its operation, and the Act of 1906, as it includes nearly all employments, must have a still greater effect in this direction. There are many weak and elderly persons who could be employed in useful occupations to their own benefit and that of the community who are thus excluded. If, as the Lord Chancellor says, physical disability has nothing to do with the question of accident, the only safe course for an employer to adopt is to have the employé medically examined before engagement, and to reject him if pronounced unsound. But how cruel would be the result! At the Trades Union Congress held at Nottingham, 10th September, 1908, a resolution was adopted protesting against the action of employers in refusing to employ workmen over forty, or having some slight physical defect "owing to the embargo placed upon them by the insurance companies."† There is here, perhaps, some exaggeration of the evil complained of, but that an evil of this nature exists is undoubted, and it is the inevitable result of the ill-judged legislation referred to which benefits the young and strong at the expense of the old and weak. Another result as to domestic servants is inevitable. An employer who would wish from the good feeling which he bears towards his servants as one of his household, often it may rather be said of his family, to help him in distress whatever the cause, is becoming possessed of the idea that now the law compels him he will do no more than the law requires. "Hast thou appealed unto Cæsar? Unto Cæsar shall thou go." Another very important point is the tendency which Workmen's Compensation Acts necessarily have to make a workman more negligent of the safety of his fellow than of old. If he knows that the burden of an accident will not fall on the victim, nor he himself be necessarily looked upon as worthy of censure by the latter, he will have less incentive to care. I understand that it is said by the Lancashire miners that since the Act of 1897 there has been less care on the part of employers to prevent accidents. This does not seem likely, as the Lancashire colliery owners are protected by mutual in-

* There is ancient English precedent for a benevolent decision on a question of fact. Action for land as widow's dower; defence that plaintiff was not of sufficient age at her husband's death to have been a wife in the ordinary sense. The judges having seen her awarded her seisin—"Whereat," says the report, "many were surprised as she did not appear to be eight years old": *Batecoke* v. *Coulynge* (3 Year Books of Edward II. 190, Selden Society).

† *Robertson* v. *Allan Line* (L. T. August 8, 1908).

‡ *McDonald* v. *Owners of S.s. Banana* (24 T. L. R. 887).

* At Rotterdam the master stevedores have until recently made a charge to shipowners of 7 per cent. on the wages, but now, under a new decree of the Dutch Government altering the classification of the various grades of workmen under the State insurance scheme, this charge is raised to 21 per cent.—*Shipping Gazette*, September 11, 1908.

† *Times*, September 11, 1908.

surance only. But Mr. Stephen Walsh, M.P.,* agent at Wigan for the Lancashire and Cheshire Miners' Federation, quotes statistics which seem clearly to show (whoever is to blame) that accidents to miners generally have very considerably increased since 1897. It is natural to connect that increase with the Act of that year and the existing Act. My experience is that accidents in shore work connected with ships has also increased, and this although Government regulations have been made which tend to diminish the risk of the employment. It was said when the Act of 1897 was passed that its effect would be to save the poor rates from having to support the injured man. But when the option given to the owner to redeem his liability is exercised, or (what much more frequently happens) when a lump sum settlement is arrived at by agreement, it very often happens that the amount received is wasted by the man and his so-called friends in drink, or other mischievous or useless expenditure, and that he comes upon the rates after all. More important, however, than all these considerations is the effect which the Act of 1897 had, and that of 1906 is having, upon the character of employés. On the occasion of the last annual meeting of the British Medical Association, held in July, 1908, an eminent surgeon, Professor Pye-Smith, of the University of Sheffield, having wide experience in that great manufacturing centre, speaking of this legislation, said: "It is sad to find by painful experience to what an extent unfair advantage is taken of such provisions as these last by some of those for whose benefit the laws were framed. Instead of honestly trying to get back to work as soon as possible, thus proving their manly independence and retaining their self-respect, the injured workmen, in too many instances, try to persuade themselves and their medical examiners that they are incapacitated for work long after their condition justifies such a contention. The hope of obtaining a lump sum as compensation no doubt acts in some cases as a strong motive to profess that no improvement is taking place in their condition. Thus they tend to drift into permanent idleness, bringing comparative poverty on their families, and becoming miserable moral wrecks." And at the last annual conference of the Life and Health Assurance Association, held in August, 1908, Dr. Lauzen-Brown spoke strongly of the fraudulent and exaggerated claims made under the Act. The senior physician to one of the great Liverpool hospitals writes to me: "From our experience, the Act has in general exercised a decidedly demoralising effect on workmen, especially on those who are, as a rule, disinclined to steady labour. We are pestered with friends making the most ridiculous claims for compensation where no grounds exist, and even in case of heart disease they assert that some trifling accident has accelerated death† We find that it is a mistake to give these workmen large sums of money." The same physician has informed me of a striking case showing the wisdom of the latter statement. A workman who had received an injury to his hand was given £75 in lieu of weekly payments. Before very long he came to the hospital suffering from delirium tremens. He told the doctor that he had spent £60 of this in drink, and £15 on what he was pleased to call his friends, and that he had had a good time out of the compensation. He seemed to take a pride in telling the story. In a recent case in which my firm on medical advice paid a man £100 compensation, his wife within a few months summoned him, on the ground of persistent cruelty, for a separation order, alleging that since the payment he had done very little work, and he then admitted that he had only £3 left, and did not allege any inability to work. The amount of malingering and the number of fraudulent and grossly exaggerated claims have been alarming to any one caring for the national character, and they are necessarily supported by deception and perjury. The temptation offered by the statute has been too great, and it is increased by every benevolent decision. A great blow has thus been struck at the honesty and independence of the British employé; and if this state of things continues, he will in many cases become a poor creature without backbone, leaning on the employer as his keeper, much as a pauper of Poplar is taught to lean on his poor law guardian. On a recent occasion that great man of independent mind, President Roosevelt, spoke of American citizens, "each standing ruggedly on his feet as a man should." He said, "I don't believe in coddling anyone. Very properly in this country we set our faces against privilege."‡ In the United Kingdom Parliament is coddling the employé. The old legal privilege of rank has for all material purposes long disappeared. The legal privilege of labour takes its place. Why should not the British citizen as well as the American stand "ruggedly on his feet"? Is the manly position of the latter the better preserved because the Supreme Court of the United States has declared a Workmen's Compensation Act passed by Congress to be unconstitutional and void?§ Professor Pye-Smith adds: "I fear such cases are sometimes supported in making too much of their aches and pains by members of our (the medical) profession," and suggests that a medical assessor should always assist the court—a suggestion with which I entirely agree, only he should be a man of high standing in his profession, and should receive adequate remuneration. You cannot expect an eminent physician or surgeon to sit as assessor for a payment of £2 2s., which is, I think, the fee paid for a medical referee. All familiar with cases under the Compensation Acts know that the fact is as feared by Professor Pye-Smith. There seems also to be a practice on the part of some medical men employed by labour unions to give certificates that men are still incapacitated after an accident without taking steps to ascertain the fact. Upon such a certificate the employer or insurance company goes on paying the allowance to the man's order after he has recovered and gone into another employment. No doubt the fee which the doctor receives for the certificate forms too small a remuneration for the trouble involved, but that circumstance does not justify it being given without first ascertaining that it is true. On the other hand, Dr. Lauzen-Brown condemns young hospital surgeons for giving information about the injuries and probabilities of recovery of injured workmen to their employers and their insurance companies, which he considers to be a breach of their professional duty to their patients. As medical men would be bound in court to state the facts I cannot see anything wrong in this; but the information ought to be available to both sides equally, and the hospital surgeon should not look upon himself as the advocate of either. There is a practice of which I have heard upon trustworthy information which cannot be too highly condemned. I am told that an arrangement is often made between a solicitor of a certain class and a surgeon of a like class, that the latter is only to be paid in case the claimant succeeds in getting an award As this offers an inducement to the witness to give false evidence, I think that any solicitor who is known to be a party to such an arrangement deserves to be brought before the Discipline Committee of the society, and to have his misconduct reported to the court, while the surgeon would deserve the correction of the Medical Council; and I trust that some of these persons will meet with their reward. There are, I have reason to know, some members of our profession who in other respects conduct claims under the Act in a most unscrupulous manner, and who resort to such tricks and devices as are deserving of the severest censure. I am also informed on good authority that touts are employed by these persons, who obtain from the hospital porter or lodging-house keeper the names and addresses of injured workmen, and induce them to place their cases in the hands of the solicitors in question. The latter may usefully be reminded that in 1902 the Discipline Committee reported a case of police court touting to the court—it was mixed up with other matter of graver import—and the solicitor was suspended for a year; but the Lord Chief Justice said: "With reference to the touting it is quite possible that if there is nothing but touting the matter may have to be considered as to what class of touting constitutes professional misconduct."* This shows that some class of this offence against professional honour would subject the solicitor to be suspended or struck off the roll, and I cannot but hope that the court would find conduct such as I have mentioned sufficient for this purpose. I have also heard of cases in which the solicitor taking up a case on speculation bargains for a large proportion of the damages in case of success, which again is most objectionable. I am bound also to say that I have come across cases in which the solicitor and the doctor acting for the injured man, and previous to the Act of 1906 the solicitor acting for the dependants of a man killed, have received considerable fees for doing very little, and the amounts paid for compensation have been decidedly less than those which might have been recovered, a state of things which certainly gives food for serious reflection. The Act of 1906, which requires the compensation due in case of death to be paid into court in all cases, has made a beneficial change in this respect. I need not, of course, say that there are very many other solicitors who, while zealous for the interest of their clients in claims under the Act, conduct their cases with due regard to professional honour. In support of some claims money is obtained by the claimant under false pretences, and in others perjury is committed. But there is no one to prosecute.† The circumstances are generally only known to the parties concerned, the employé, the employer, and the insurance companies. Of all these it is hard to find any to take the necessary steps to expose the evils existing under the Act. The employé naturally is silent; the employer hands over his liabilities to his insurer. The insurance companies would regret to see the Act repealed, because they look to making a profitable business out of it, and their main idea is to settle each individual case as speedily and cheaply as possible, and they fight shy of prosecutions. The Act brings grist to the mills of the lawyer and the medical man. Thus very little is said and nothing done by those who have the necessary knowledge of what is going on, and so it happens that large numbers of the employés of this country are being degraded in character without the more educated and intelligent of the general public being aware of the fact. This is my main reason for speaking out. In my view the whole policy of the Workmen's Compensation Acts is wrong, and that now existing should be repealed. It should be replaced by one of two systems—

(1) By a law making the employer liable for negligence of his employés causing injury to those in the same service. Contributory negligence should be taken into consideration not as totally defeating the claim for compensation, but as modifying it, so that the claimant would recover such a proportion of the whole as the gravity of his fault bears to the total of the faults causing the injury. If he were slightly to blame let the court give him, say, three-fourths, or if much to blame

* *Liverpool Daily Post and Mercury*, August 24, 1908.

† These persons must have meditated with profit upon the Lord Chancellor's judgment in *Ismay* v. *Williamson* (*supra*).

‡ *Spectator*, August 18, 1908.

§ Employers' Liability Acts similar to the British Act of 1880 exist in several of the United States, such as New York, Massachusetts, Alabama, Indiana, and Colorado: Reno's Employers' Liability Acts, 2nd edition, Indianapolis.

* Shorthand notes of judgment in the possession of the Council. The report of this case in 37 *Law Journal*, p. 280, is not apparently quite accurate.

† The first prosecution has just occurred. A workman was indicted for both offences. He pleaded guilty to perjury. He had been in custody nearly two months for want of bail. The benevolent Recorder of London thought the justices might have admitted him to bail on his own recognisances, and the benevolent prosecuting counsel having withdrawn the second charge as it related to the same matter, the Recorder having regard to his detention discharged him! He expressed a hope that this might be a lesson to the man. It will probably be a lesson to many rascals of the slight risk attendant on their fraudulent practices.

one-fourth, and so on. This is the principle upon which damages done to vessels in a collision where both are to blame is apportioned in France, Belgium, and several other countries, and which it is now sought to make of universal application in the civilized world. The English Admiralty Court divides the damage equally, a system which only approximates towards the perfect justice of the foreign rule referred to.* Claims under the law which I propose should be dealt with by the county court judges without a jury, as at present. If such an Act as I suggest were passed the Employers' Liability Act should be repealed. There would then be only one law instead of three under which the employé would proceed, which would remove the existing confusion as to the best remedy for him to adopt.

(2) In the alternative a system of relief should be established superseding both the Workmen's Compensation Act and the Employers' Liability Act, based on contribution both by employer and employed, which might well be extended to sickness as well as injury and death from either cause. One great advantage of such a system would be that employés would be interested in preventing and exposing fraudulent and exaggerated claims by their fellows. But I am quite aware that this is not a course which Parliament will adopt. All political parties are so pledged to the general principles first established by the Act of 1897 that they cannot be changed. I therefore confine myself to recommending the following amendments as shown by experience gained under the present Act to be very desirable.

(1) Restore the provisions of the Act of 1897 as to the effect of serious and wilful misconduct so as to make it a bar to all claims.

(2) Define accident in such a way as to exclude the class of cases which the decision of the House of Lords in *Williamson* v. *Ismay* has included.

(3) Exclude illegitimate dependants.

(4) Put a reasonable limit to the total liability of the employer under the Act as was done in the Employers' Liability Act, 1880, and as is now done in the Workmen's Compensation Acts prevailing in a large part of the British Empire.†

(5) Restore the provisions of the Act of 1897 as to the basis of weekly payment for partial injury and payment for death and the time when they begin.

(6) Where an operation is desirable, involves no appreciable risk of life, and is of such a nature that a reasonable man not in receipt of a weekly payment would undergo it, permit the stopping of the allowance until it is submitted to.

(7) Provide for the appointment of a medical assessor to sit with the county court judge on the demand of either party, making provision for a sufficient remuneration to him.‡

(8) Give discretion to the county court to require security for costs.

(9) Require the claimant to pay the usual court fees on commencing proceedings.

If these amendments were adopted some of the evil done to employés, both as to employment and character, and some of the injustice done to employers by legislation would be remedied.

Mr. H. F. Brown (Chester) said that as an employer of labour he had had the opportunity of observing the operation of the Act. The better class of workman preferred to "stand ruggedly on his own feet," and hated coddling legislation. Then there was undoubtedly another class which did take unfair advantage of the Act, and which at the same time suffered from it, for undoubtedly the Act did tend to unemployment. With regard to one of the businesses he carried on when the Act came into operation, some of the firms in his district just managed to carry on their business. To others the Act was the last straw, and they closed their works. Their best men got other situations, the second-rate men, he was afraid, did not, and employers generally looked round to see how they might reduce their staffs or replace the inferior men with picked men. In that case the result to the class intended to be benefited had been unfortunate. The Act had undoubtedly resulted in unemployment, and such results must follow where one class of the community was taxed for the benefit of the other.

Mr. J. H. Cooke (Winsford) pointed out that the Statute of Limitations did not apply where the Act was concerned. He suggested that that there should be a limit under a new Statute of Limitations applying to claims. The Employers' Liability Act in Germany was based on contributions by employer and employed, and was working very satisfactorily.

Mr. S. F. Butcher (Bury) thought that in view of the fact that old age pensions had just been introduced Parliament would scarcely be likely to go back to the extent of in any way minimising compensation to employés. As a coroner he had come to the conclusion that there was a vast amount of malingering. He was persuaded there was no effective way of dealing with workmen's compensation except upon the contributory principle. He urged that solicitors should take the lead in expressing an opinion to that effect, and he did not think that in the long run even the Labour members of Parliament would be opposed to it.

* The principle of apportioning the damages according to the gravity of the fault applies in Belgium, and I believe also in France, to injury done both to employés and to strangers. I am in favour of extending the English law to the case of the latter as well as to the former, but that is another question. There are now, however, Workmen's Compensation Acts in both countries which, so far as regards the employés comprised in them, override the principle referred to.

† *E.g.* Ontario, South Australia, Western Australia, Queensland, and New Zealand. There is a limit of £300 in some Acts and £400 in others. In Lower Canada the principles of the French Civil Code (Art. 1384) prevails. So far as I am aware there is no Workmen's Compensation or Employers' Liability Act existing in any part of Canada except Ontario. In Tasmania and New Brunswick there are Employers' Liability Acts similar to ours.

‡ This would afford a good check upon the unreasonably divergent testimony of medical witnesses.

Land Transfer Reform.

Mr. J. S. Rubinstein (London) read a paper as follows :—

After some introductory remarks, Mr. Rubinstein said that the fact is not known or realized that there are two methods of land transfer, both covered in popular language by the term "registration," that are as distinct as possible the one from the other. Under one method property is transferred by a deed that is completed outside and independently of the registry, the registry being used simply to record the transaction, and to determine rights of priority. In this case the registry is known as a Deed Registry. With a very few exceptions every country in the world has a registry of this character. The second method of registration is that known as Registration of Titles. This method aims at abolishing deeds altogether, the registry officials undertaking all character of work incident to property. Every transaction has to be carried out in a prescribed manned, the registry being the sole evidence of title. Registries of titles are of two characters—(1) compulsory, (2) optional. The compulsory system is confined to Austria-Hungary and Germany. The optional system exists in England and in Australia and New Zealand. In these colonial dominions the system is known as the Torrens system. Where optional registries exist owners can elect to utilise the registry or to carry out their transactions outside by means of deeds prepared by themselves. In England the optional system has been a complete failure, for reasons to which I will refer presently. The authorities, however, apparently believe that its non-success is consequent upon its not being, as in Germany, a compulsory one, and the public generally have been led to accept the view that the German registry of titles is an invaluable institution. My firm belief is that the compulsory system is absolutely unsuited to and unworkable in this country, and that its application here would be disastrous both for the public and the property owner. The system is also, in my view, valueless here as an optional one. On the other hand, I am convinced that our method of transfer by deed—a method common to very country in the world with the exceptions referred to—is the best possible system for practical purposes, but that that system should be supplemented by the establishment of deed registries such as exist almost universally outside of England. The objects I have therefore in view is to prove : (1) that the registry of titles that exists in this country does not, and cannot, serve any good purpose, and should therefore be abolished ; (2) that local registries of deeds should be established in every county in England. A registry of titles was first established in this country by the Land Transfer Act of 1862. This Act brought the Land Registry Office into existence. The office was reconstituted by an Act passed in 1875. The optional system established by these Acts failed to attract and the office consequently did not do any business. In 1897 another Act was passed to secure the trial as an experiment of the compulsory registration of title in one county for a limited period. The compulsory system has under the provisions of this last Act been in operation in the County of London since January, 1899. It was at the time understood that an inquiry would follow the three years' trial ; the inquiry has been postponed for nearly ten years. You are aware that in July last a Royal Commission was appointed to consider and report upon the working of the Land Transfer Acts, and whether any amendments are desirable. It is anticipated that the Commission will begin its work almost immediately. In order to make the position clear it is necessary to trace briefly the evolution in conveyancing that has taken place since 1862, the date of the first Land Transfer Act. Undoubtedly the system of conveyancing in operation at that time was complicated, dilatory, and costly. The expense was due to the fact that titles were, as a rule, long and complicated, frequently necessitating resort to counsel to aid in the task of investigation. As a consequence of the system then in vogue, whereby the remuneration of solicitors depended upon the length of deeds and the number of attendances and letters necessary in each case, the costs were frequently quite out of proportion to the value of the property dealt with. The desire to escape from a system that was complained of with every justice was, therefore, a natural one, and it was not surprising that many thought that the institution of a registry of titles such as existed in Germany offered a practical solution. It is true that at the time many of the leading conveyancers here, including Lord St. Leonards, strenuously opposed the introduction of such a registry, as they urged that an official system was wholly incompatible with the freedom property owners in this country were allowed in dealing with their properties. The defects of the then existing system of transfer were, however, so glaring that Lord Westbury, in 1862, succeeded in passing the first Land Registry Act—thereby bringing into existence a voluntary registry of titles for the whole country. The Act of 1862 gave property owners throughout the kingdom the opportunity of registering their titles as "indefeasible." At the outset a few owners, attracted by the novelty, registered their titles. The difficulty, expense, and delay of registration were soon found, however, to be prohibitive, and when in course of time it became known that dealings with registered property were far more cumbrous and expensive than dealings carried out under the old system, the registry was absolutely shunned. The Act consequently proved a dismal failure. The advocates of a registration system were not, however, prepared to recognize that the failure was irretrievable, and Lord Cairns, already one of the foremost conveyancing experts, after a close study of the subject, framed and passed in 1875 the second Land Transfer Act. The first main problem he had to solve was to devise a method of placing titles on the register without subjecting owners to the prohibitive

expense and delay involved in adequately investigating their titles. Lord Cairns proposed to effect this by a process of registration in stages. He accordingly provided for three successive degrees of titles, namely, "possessory," "qualified," and "absolute." He thought that the office should without investigation allow owners to register their titles as "possessory." This title was not to absolve a purchaser from the need of investigation, but it was apparently thought that after a certain lapse of time the same title could on a subsequent transfer be registered as "qualified," and that such a title would materially limit a subsequent investigation. And further that after the title had been on the register a sufficient period of time the original title would then automatically mature into an "absolute" one. However unimpeachable the idea of progressive titles was in theory, it was in practice found to be unworkable. It was soon realised that a "possessory" title could never mature into an "absolute" one, and that a "qualified" title—a title showing a flaw on its face—was one that no one would take. As a result the Act of 1875 proved as great a failure as the first Act. Whatever disappointment Lord Cairns may have felt at the breakdown of the measure to which he had given such time and pains, his anxiety for reforming the old system of conveyancing remained as strong as ever. The conviction had, however, by that time grown upon him that, owing to the free conditions under which property was held in this country and the consequent necessity for an unfettered method of dealing therewith, it was impossible to devise a registration system of sufficient simplicity and elasticity. He therefore decided that the true remedy for the defects of the old practice was to be found in simplifying titles, by shortening deeds, and restricting costs to a limited *ad valorem* scale. It is quite unnecessary for me to remind this meeting how marvellously the Acts passed by Lord Cairns in 1881 have succeeded in carrying out these objects. The Acts have now been in operation for over a quarter of a century, and it is no exaggeration to say that they have from the first worked, and are to-day working, with the utmost smoothness and satisfaction throughout the country. It might be thought that the striking success of the system thus established by Lord Cairns would have given the *coup de grace* to the Land Registry. Unfortunately, however, such matters do not adjust themselves in accordance with the public interest. The death of Lord Cairns in 1885 and the appointment of Lord Halsbury as Lord Chancellor in 1886 were important events in their bearing on the fortunes of the Land Registry Office. Lord Halsbury never had, unfortunately, any conveyancing experience, and Lord Cairns' Acts of 1881 had in 1886 been too short a period in operation for their value to be generally recognized. Imbued apparently with the idea that the old defects still existed, Lord Halsbury deemed it desirable to make another effort to establish a registry of titles as the one and only system of land transfer. In his view, Lord Cairns' Act of 1875 had broken down simply because it was a permissive measure, and would have worked successfully if it had been made compulsory instead of permissive. Consequently, between 1887 and 1897 he introduced measures to make the provisions of the Act of 1875 compulsory throughout the country. Parliament declined to concur in the view that an Act that had failed as a permissive one, and had been abandoned by its author as unworkable, only required to be made compulsory to ensure success. In 1897, however, Parliament was induced to consent to an experimental trial of the system of compulsory registration in one county in England for a period intended to be limited to three years. It is now ancient history that the London County Council was led, in spite of a crushing consensus of expert opinion to the contrary, to consent to the trial of the system as a compulsory measure taking place in the County of London. It is sufficient to note that the consent was given, and that as a consequence the system has been on trial in London since January 1, 1899. I have already mentioned that the only countries that have a system of compulsory registry of titles are the German-speaking nations. It must be borne in mind that in these nations the State stands for everything. Officialdom is a fetish. Compulsion an idol. Individualism is hardly tolerated. There is, it is true, grave reason to fear we are drifting in the same direction. Quite recently, in a leading article in the *Times*, I read that there is "a perfect mania at present for meddling with everybody's business and handing over everybody's duties to some State official." All the same, I refuse to believe that the Royal Commission will deem it desirable to advise that we should exchange the freedom with regard to property which we now possess for the autocratic and iron-bound methods that are accepted by the German nations as an integral part of their Government. Under the Acts of 1875 and 1897, rules as binding as the Acts of Parliament themselves can be made for securing the due working of the system. Rules long and rules short have from time to time been made, but it is practically admitted that the system is as unworkable to-day as on the day the first Act came into operation. The authorities have had and have exercised an absolutely free hand in shaping the machinery in any way they thought fit, and we have had painful experience of the fact that they have, by the issue of almost countless rules, made innumerable attempts to evolve a workable system. We may be sure that, with the professional and expert aid that they would command, the system would long ere this have taken a workable shape if such a thing had been possible. It is therefore hardly to be expected that the commissioners will succeed in devising a method of dealing with the conditions that have to be met in view of the absolute and complete failure that has for nearly fifty years followed the strenuous efforts that have been made in the same direction. In addition to Lord St. Leonards and Lord Cairns practically all the recognised modern conveyancing experts have been wholly opposed to compulsory registration, such experts, for instance, as Mr. Joshua Williams, Q.C., Lord Thring, Sir H. W. Elphinstone, Mr. W. Barber, Q.C., and Mr. E. P. Wolstenholme. I will, however, content myself with one or two quotations from the work of an expert whose ability and knowledge of the subject are recognised on all sides. I refer to Mr. C. Fortescue Brickdale, the Registrar of the Land Registry. Mr. Brickdale published in 1886, a few years before he had any connection with the registry, a most valuable work entitled, Registration of Title to Land and How to Establish it Without Cost or Compulsion. The work contains so many and such clear and convincing arguments against compulsion that my firm belief is that if the commissioners were to rely on this work alone they would not require a single additional word to induce them to concur in the reasoned conclusions against compulsion on which the author insisted. Considerations of time do not permit me to quote at any length, but the drift of Mr. Brickdale's arguments can be gathered from the following quotation: "*Primâ facie*, it would certainly appear that no system really beneficial to landowners would require to be forced upon them, and, of course, to apply compulsion to any system not really beneficial would be a *wild injustice*. . . . Or, again, in view of past experience, is it wise to make any Act compulsory before it is proved that it works well? The present compulsory schemes assume that if the primary difficulty of getting titles on to the register can be removed, the speedy and cheap dispatch of business in the office can be confidently hoped for from certain alterations which it is proposed to make in the office practice. This may be so, but is it sufficiently clear that it will be so to justify its compulsory enforcement? It was confidently hoped that certain alterations in the procedure would render initial registration speedy and cheap under Lord Cairns' Act, and with what result?" Lord Cairns' Act of 1875—the Act that Mr. Brickdale refers to as having failed—is the same Act that is in compulsory operation to-day. The commissioners will, it is hoped, endorse the view Mr. Brickdale expressed in 1886 by finding that its compulsory operation is a "wild injustice." Another passage that I may be permitted to quote contains an argument against compulsion that will, I believe, strike you as it strikes me as unanswerable. After replying at length to the suggestion that the Acts of 1862 and 1875 had failed, owing to the opposition of solicitors, and giving many reasons to prove this suggestion was without an atom of justification, he continued as follows: "Apart from the 'hostility of solicitors,' what excuse for compulsion remains? On what ground can it be justified for a moment? Is it part of a man's public duty to improve the selling value of his own property? Are a man's own successors in title to be clothed with a corporate existence, and endued with rights against him, enforceable by risk of dispossession should he ignore them? Whom does it hurt if a man cannot readily prove that his property is his own Does it damage the neighbours? Is it a public nuisance? Does it offend against the general morality? Does it deceive anyone to his hurt? Does it prejudice posterity any more than many another unbusinesslike thing that a man may lawfully indulge in, such as neglecting his shop, or not weeding his garden? Why should the landowner or the purchaser of land (belonging, as he usually does, to a class which is better educated and more enlightened than any other in the community) require to be taught his own interests by pains and penalties, when all other people are trusted to find them out for themselves? Or, if to register be not to his own interest, why should he be forced to confer benefits on strange and unascertained persons against his will, at his own expense, and probably at a very appreciable amount of immediate inconvenience? If the new system is really a good one, it may rely on its own merits to promote it; the demand for any other promoter sounds far more like a confession of weakness than an assertion of strength. In short, either compulsion is unnecessary or it is unjust." As Mr. Brickdale is now the foremost advocate for compulsion, it would be very interesting to know in what way he would to-day reply to the arguments he himself so eloquently and convincingly put forward in 1886. Since 1862 five inquiries have taken place into the system of compulsory registration of title. These inquiries do not give the supporters of compulsion a word of comfort. I will refer briefly to each of them. (1) 1868, *May*.—A Royal Commission consisting of twelve members was appointed under the chairmanship of Lord Romilly. In November, 1869, their report, then published, summarized their conclusion. Their view as to compulsion may be gathered from their lukewarm proposal: "That the existing system of registry should be continued for those who desire to avail themselves of it." (2) 1878, *December*.—The House of Commons appointed a Select Committee of nineteen members under the chairmanship of Mr. Osborne Morgan. From their report, presented in June, 1879, paragraphs will be found in the Appendix. Here again the committee would not have anything to do with compulsion. They thought it "sufficient to observe that it would be very difficult to force upon every purchaser or mortgagee in this country a mode of dealing with his property which not one purchaser or mortgagee in 20,000 at present adopts of his own accord." They go on to say: "Your committee feel that in arriving at the above conclusion they are only acting upon the axiom which is laid down by the Royal Commissioners of 1888 in their report, and which they believe to be perfectly sound, that 'for an institution to flourish in a free country it must offer to people the thing that they want.'" (3) 1885, *November*.—The Bar Committee appointed a sub-committee under the chairmanship first of Lord Davey (then Sir Horace Davey) and later of Lord Justice Rigby (then Mr. Rigby, Q.C.). Their report, adopted by the Bar Committee in March, 1886, attributed the failure of the Act of 1875 to six causes. Their conclusion with regard to compulsion is clear from the statement they make that "Lord Cairns' Act of 1875 failed more conspicuously if possible than its precursor of 1862. . . . There can be no doubt that if either the Act of 1862 or the Act of 1875 had been made compulsory, it would have proved to be an intolerable public nuisance; that it would have effected an almost complete obstruction of business;

that it would have provoked a formidable burst of rage and indignation; and that it would have been repealed on the very next session of Parliament." I have always been of opinion that these predictions would have proved literally true if, instead of being confined to London, the system had been brought into operation throughout the country. (4) 1895, *May*.—A Select Committee of fifteen members was appointed by the House of Commons to consider the Land Transfer Bill, 1895. Lord Loreburn (then Sir Robert Reid) was appointed chairman. A large number of witnesses were examined, including Lord Halsbury, who was responsible for the Bill, but who frankly admitted that he had had no conveyancing experience since the days of his pupilage, a time presumably prior to 1850, the date of his call to the bar. With the exception of Lord Halsbury, all the witnesses were unanimous against the proposal to make registration of title compulsory. In July, 1895, however, the committee reported that in view of the then impending dissolution it was not possible to complete the evidence. This result was most unfortunate. (5) 1906, *May*.—A Royal Commission of seven members (including Mr. Brickdale, the registrar) was appointed under the chairmanship of Lord Dunedin to consider the expediency of extending a system of registration of title to Scotland. Evidence has been taken, but a report has not yet been presented. The evidence was unhappily taken *in camera*, notwithstanding the public importance of the subject and the fact that the witnesses themselves desired publicity. The report is long overdue, but it is very significant that it is the opponents of compulsion who are urging its publication. Whatever the explanation may be, it is a fact that the land registry officials do not share our preference for publicity—indeed, I believe they would be more than grateful if the report was never produced. The *Times*, recently referring to the Scotch Commission, said "the evidence which it has collected and its report, which cannot be long delayed, must be of use to the English Commission." Time alone will tell if this anticipation as to the early issue of the report is justified. There is strong ground for holding the view that the authorities would have acted with real insight if, instead of appointing the Scotch Commission to inquire into the expediency of extending the English registration system to Scotland, they had appointed an English Commission to inquire into the expediency of extending the Scotch system of deed registry to England. This is at all events the view that is universally held north of the border. A study of the conclusions come to by the various tribunals, who have all examined the system of registration and found it wanting, is sufficient to destroy the popular delusion that all the practical experts here favour a system of registration of title. This view, for which there is not an atom of justification, has always been and still is sedulously circulated by the Land Registry officials. As a matter of fact, the experts are almost to a man opposed to the system. Eliminate the officials and the theorists, and it will be found that during the last thirty years it is hardly possible to name a single practical expert who had or has a good word to say for the system. . . Time will not permit me to compare, as I would like to do, Lord Cairns' system with the system of registration of title on the points of (*a*) simplicity, (*b*) dispatch, (*c*) expense, and (*d*) security. I have done so elsewhere, and I believe I have shown conclusively that the registration system cannot exist side by side with Lord Cairns' system. I will here only indicate a few salient features that are sufficient to demonstrate the truth of my contention. (*a*) The claim of simplicity falls to pieces at the first touch. It is impossible to maintain that a system can be a simple one that depends on four different character of titles ("possessory," "qualified," "absolute," and "good leasehold") in place of one—a system that is governed by two conflicting Acts of Parliament (1875 and 1897) and 371 rules and 73 forms. The decisions in the cases of the *Capital and Counties Bank* v. *Rhodes* (Court of Appeal, 1903) and in *Weymouth* v. *Davis* (1908) completely dispose of any suggestion of simplicity. (*b*) As regards dispatch it is only necessary to bear in mind the methods of business pursued by Government departments. Business must be regulated with strict regard to office hours and holidays. Further, the work performed by officials cannot be divorced from routine, and routine is fatal to expedition. The case of *Weymouth* v. *Davis* is a good illustration of the business ideas of the Registry Office, and indicates how far removed are the officials from touch and sympathy with persons forced to resort to the office. (*c*) On the point of expense I have set out in the Appendix a table giving the costs under Lord Cairns' Act with the increased fees payable consequent on registration. It will be seen that on purchases of amounts between £100 and £1,000 the increase ranges between 20 and 30 per cent. It is not out of place to point out here that there is no justification for the view that is so frequently expressed that solicitors' ordinary scale costs are so high as to seriously hamper the tranfer of property. The very moderate scale fees, plus the *ad valorem* stamp duties payable to solicitors and to the Government respectively on a purchase, are too small an addition to the purchase-money to be in any sense restrictive. These expenses are in this country far less than they are elsewhere. In France, where subdivision of land is carried out probably to a larger extent than in any other part of the world, the expenses are about three times greater than they are here. (*d*) I have frequently dealt with the very wide door the system opens for the commission of fraud. Appalling facilities are afforded (*a*) for enabling a person to obtain a possessory title to any property he chooses, (*b*) by the duplication of documents of title that the system necessitates, and (*c*) by the ease with which certificates of title can be altered. To prove the accuracy of my conclusions, I need only refer you to the cases of *Marshall* v. *Robertson* (1905) and *Attorney-General* v. *Odell* (1906). It is doubtless asserted by the Land Registry officials that all the present drawbacks are consequent on the system being in a transitory state, and that the defects will disappear when in course of time all titles become absolute. There is in my view nothing whatever to warrant the acceptance of this sanguine view. It is necessary in the first place to recognize that a "possessory" title can never mature into an "absolute" one. In 1902 I read a paper at the Building Societies' Congress entitled "Legislation pour Rire," setting out the grounds for this statement. Mr. Brickdale was present, and made an explanation which bore out my statement to the letter. I have reprinted his explanation in the Appendix, and I have added a few words that will make it clear why a purchase deed can, and why a certificate of possessory title cannot, in course of time become a good root of title. The theory that a purchaser of a title registered as absolute need make no investigation is wholly wrong. I have set out in the Appendix the various matters a prudent purchaser must attend to in purchasing an absolute title. A consideration of the matters referred to will prove how difficult it is to say that our work or responsibility is in any way lightened on the purchase of an absolute title. The effect on the value of land which is held on a registered title is worth consideration, because practical experience shows that value is reduced and not enhanced by registration. In one case a well-known society bought an estate registered with an "indefeasible" title under the Act of 1862. They found their business so hampered by the official requirements, that after a time they suggested to their allottees the expediency of accepting the society's conveyances without regard to the registry. Many of the allottees did so, but others deemed it necessary to register. I have never heard of an allottee who kept off the register suffering in consequence, but I have heard many bitter complaints from several of those who elected to have their titles registered. The society I refer to would never again entertain the purchase of a registered estate. Another case I can give is equally significant. Some time back another well-known land society negotiated for the purchase of a building estate. After protracted negotiations the purchase-money was agreed upon. When, however, the contract for sale was sent to the society, whereby it appeared the title was registered as "absolute," the purchase fell through, as the society had sufficient experience to realize that the fact that every transaction would have to go through the Registry Office would seriously hamper them in the development of the property and in their dealings with their allottees. It is impossible to persuade a society accustomed to the present free and unfettered conditions under which they can develop, sell, and transfer their land, that there can be any gain or advantage in the interposition as between themselves and their purchasers of officials who have to be paid for their services, even if the value of such services is invisible. You can readily understand how the owner of the estate I am referring to felt when it came home to him that, consequent on registering his title as absolute at a heavy expense, he had lost the sale of his land. I have already indicated the strong views Mr. Brickdale formerly held as to the injustice of forcing people to adopt a system against their wishes. I can satisfy you in a few words that property owners not only do not desire the registration system, but that their one anxiety is to escape from its meshes. To make this clear, it is only necessary for me to refer you to two documents: (1) A report, dated 1907, of the Kensington Borough Council, with the facts and figures set out therein; (2) a table compiled from the official returns of the number of titles that have during the years 1899 to 1907 been registered respectively as "possessory," "qualified," "good leasehold," and "absolute." The "absolute" title is the one title that can be voluntarily applied for, and it will be seen that out of the total of 110,964 titles registered in the nine years, only 193 freeholds and 359 leaseholds have been registered as "absolute." As the registry is open to the whole of England and Wales, the number barely averages one case per annum for each of the 53 counties. It surely does not want an additional word to prove from the registrar's own figures how demonstrably unpopular is the system he so strenuously advocates.

I have up to this point dealt solely with Registries of Titles. I have now to speak of the second branch of my subject, namely, the expediency of establishing local Registries of Deeds. The grounds for advocating registries of deeds can be stated briefly. Registries of deeds are of the utmost value as a security against fraud. There is no means of preventing deeds relating to a particular property being duplicated, and in the absence of a registry there is and can be no quick and certain method by which the duplication of a document can be detected. The experience acquired by solicitors in investigating titles and inspecting the earlier deeds affords the necessary protection in almost all cases, but there is a certain risk, small though it be, that in exceptional cases a deed has been duplicated. When this happens, the feeling of insecurity engendered reacts upon ourselves, and we are more affected thereby than any other class in the community. There are two counties in England—Middlesex and Yorkshire—that for the last two centuries have had deed registries. In these counties, as well as in Scotland, frauds of this character are unknown. Clearly no one dare attempt the commission of a fraud that is bound to be immediately detected, it being the invariable practice where a registry exists to search the register prior to the completion of any transaction. Again, in the absence of deed registries, title deeds are the sole evidence of title, and their safe custody is therefore of vital importance. Like every other article that can be handled, deeds are liable to be lost, stolen, or destroyed, and although these events may happen but seldom, when they do it is impossible to measure the difficulty and distress that may be occasioned. It is obvious that this difficulty and distress can be largely mitigated, if not entirely removed, if the existence and effect of the deeds are officially recorded, so that in case of need an owner deprived of his deeds can still prove his title. The Select Committee of 1878, who exhaustively considered the subject, were unanimously in favour of deeds registries. Their conclusions may be thus summarized: That it is self-evident that a register must afford protection against fraud.

That in "Scotland the system seems to work perfectly and to give universal satisfaction." In Yorkshire "the evidence is on the whole favourable to the retention of the registry with certain improvements." That some at least of the complaints made, especially against the Middlesex Registry, are due "to imperfections in its working which might be more or less easily removed." That which was principally required was a simple index referring "to every instrument affecting the property," and that "to be really useful it should be local as well as nominal, that is, it should refer to property as well as to persons." That "the labour of searching a land register will be diminished in proportion as the area covered by the register is reduced," and that "local registries might be advantageously established in convenient centres." That "in Scotland the necessity for repeated searches over the same period upon every fresh dealing with the same property . . . has been got over by a device which might be usefully adopted in England." On a purchase or mortgage the register is searched by some person, usually an official, who delivers a "certificate of search," which is accepted on a subsequent dealing as evidence of the state of the title up to its date. "The value of such an expedient in saving the repetition of long and expensive searches . . . can scarcely be overrated." The following paragraph from the Report speaks for itself: "From the facts elicited by the present inquiry and that taken before the Royal Commissioners respecting the income derived from the Middlesex, Yorkshire, Edinburgh and Dublin registries, your Committee believe that a general registry of deeds might be made perfectly self-supporting at a greatly reduced and very trifling cost to the public, and that after the suggested system has been at work for a short time any small additional trouble or expense which it might cause would be more than compensated by the sense of security and other benefits which purchasers and mortgagees would derive from it. From a return recently laid before Parliament it appears that the fees received in the Middlesex Registry Office amounted in the year 1877 to the sum of £14,043 5s. 6d., whilst the necessary expense of such office amounted to a sum of £4,372 0s. 5d. only." The committee also gave close attention to the point as to whether the practice in Scotland of registering an exact copy of the deed, or the practice in Yorkshire or Middlesex of registering a memorial or epitome of the deed, was the better one. They were in favour of the former practice, a conclusion with which I am in accord, especially as deeds are in these days in the large majority of cases so very short. The suggestions for reform made twenty-five years back with reference to the Middlesex Registry have never been acted upon. In those days the profits of their office were shared by the registrars as the personal perquisites of their office, although the office itself was a sinecure. Lord Truro was the last of the registrars, and on his death in 1892 the Middlesex Registry was unfortunately brought under the control of the Land Registry, and the profits were then diverted to the upkeep of that office and have been so applied ever since. Where property has to be registered at the Land Registry, the Middlesex Registry has been superseded. The officials naturally prefer the heavy *ad valorem* fees they can claim on registering properties on the Land Registry in lieu of the small fees they are limited to on registration on the Middlesex Registry. As a result, so far from attempting to improve the Deed Registry, the one desire of the officials is to bring it to an end. In Yorkshire amending Acts have been passed and various improvements have been carried out, and as a consequence the value of the Yorkshire Deed Registries is highly appreciated. They are valued the more as the profits are received by the local county councils and are applied by them in aid of the rates. I confidently submit that what Yorkshire has done every other county in England should do in the interests alike of property owners and ratepayers. I venture in particular to appeal to the London County Council to follow the lead of the Yorkshire County Councils, and so secure in aid of the rates a fair proportion of the very substantial profits made in the office of the existing Middlesex Registry. It is but right and reasonable that land transactions in the county should contribute towards the expenses of the county, and no valid argument can be urged why the council should not take over the Deed Registry with its profits. In 1878 these profits amounted, as we have seen, to about £10,000 per annum. In view of the increase in the population that has since taken place, it is not too much to place now the profits of the Middlesex Registry, covering its London area, at £15,000 per annum at least. Assuming the operation of the Deed Registry were extended to the whole County of London, the profits would be not less than double this sum. If the London County Council will move in the matter on practical lines, there is no conceivable reason why it should not thus secure a new source of income, bringing in £30,000 a year, or even more, in aid of the rates. Should legislative effect be given to my suggestions in favour of abolishing the Land Registry and establishing in the different counties local registries of deeds, the question as to how the present Land Registry staff should be dealt with would be readily solved, as it would be easy to transfer the officials to one or other of the new deed registries. The Land Registry building in Lincoln's-inn-fields could, I consider, be taken over with advantage by the London County Council. The council has for a long time past outgrown its habitation in Spring-gardens. Many of its departments have now to carry on their work in offices situated outside in various directions. Part of the registry buildings would, of course, in any event continue to be used as the Deed Registry for Middlesex and for London. The remaining part would, I suggest, furnish suitable quarters for bringing under one roof the various departments now scattered outside. The council are about to erect a new home for themselves, but this will not be ready for occupation for many years yet. When this happens, there is little doubt that some other suitable use will, if necessary, be found for such portion of the building as the council will not then require. The practical questions that press for a settlement are: (1) Is it desirable to continue the system of registration of title? (2) If so, can such amendments be made as to make the system a workable one? (3) If it is desirable to continue the system, should it be (*a*) compulsory or (*b*) permissive? (4) Is it desirable to introduce local registries of deeds? It will, I venture to think, be admitted that these questions bear directly on land transfer reform, yet when we consider that the reference to the Royal Commission is "to consider and report upon the working of the Land Transfer Acts, and whether any amendments are desirable," we must realize that there is a doubt whether some at least of the points I have enumerated are not outside the scope of the pending inquiry. The narrow terms of the reference has been freely criticised by the law papers. I am convinced I am interpreting your views aright when I assert that what we desire is that the Commissioners should be absolutely unfettered in considering the question as to whether any, and, if so, what improvements can be made in the system of transfer. If the scope of the reference to the Commission is of grave importance, the constitution of the Commission is, if possible, more serious still. Since the passing of Lord Cairns' beneficent Acts of 1881, the work of conveyancing has fallen almost exclusively into the hands of solicitors. Consequently solicitors possess an intimacy with the detail of conveyancing work, both as regards the registration and non-registration systems, not possessed by any other class in the community. Yet, although the number of members on the Commission is twelve, out of this number one, and one only, is a solicitor. Mr. Pennington, who was admitted in 1855, is the one solicitor. He is, however, a member of the Rule Committee, who are responsible for the rules regulating the system. We have consequently not a single independent representative on the Commission, and apparently there is not a member thereon possessing a practical knowledge gained at first hand of the detail of the present-day conveyancing work. Is there not here an element of weakness that may shipwreck the whole inquiry? What hope can we have that the witnesses whom the Land Registry is bound to put forward, considering what a life and death struggle the inquiry is to them, can be properly cross-examined? It is surely not too much to ask that at least one-fourth of the members should have this intimate knowledge of detail that can alone enable a person to judge as to what is and what is not feasible in actual practice. In matters like the one under discussion book knowledge is of problematical value. It is in any case a very poor substitute for that knowledge that can only be acquired by an intimate acquaintance with the live work itself. In the case of the Royal Commission appointed in 1868 a second warrant was issued increasing the number of the Commissioners. Is it too much to ask that this precedent should be followed now? The constitution of the Commission has not escaped severe criticism at the hands of the legal press. Extracts therefrom speaking with exemplary fairness will be found in the Appendix. There is one matter to which, in conclusion, I feel bound to refer. The Royal Commission was appointed on the 28th of July last. On the 4th of August the Land Registry advertised the draft of a new batch of rules. Everyone who has read these rules points out that they are not only far more intricate than any previously issued, but that they will seriously increase the fees the office can extract from the unfortunate victims of compulsion. This is, to repeat the words used in earlier days by the registrar, "wild injustice" with a vengeance. As Yorkshire is particularly mentioned in one of the rules, it is clear that the idea is still embedded in the official mind that the system will, sooner or later, be extended to the whole country. I refrain from attempting to express here my feelings on the subject. I will content myself by referring you to the extracts from the law papers, and to the reprint of a letter I sent to the press, to be found in the Appendix. The new Land Registry Office in Lincoln's-inn-fields was erected at an expense of over a quarter of a million of public money, and it provides a home for some 250 officials. Between March, 1900, and the present time its receipts in fees have been over half a million, every penny of which sum has been extracted from the unwilling pockets of the unfortunate purchasers and mortgagors who under compulsion have been forced to register. This huge sum, however, has not been sufficient to cover the office expenses, with the result that during the last few years the public funds have had to contribute some £5,000 a year so that both ends might meet. This is part of the price the public pay for permitting in the words of Sir Joshua Fitch "the dead hand of outside power to be thrust into the heartstrings of a living work." In a country possessing any claim to be constitutionally governed it is essential that the respective duties of the State and of the individual should be recognised and kept strictly apart. Any encroachment by the State on the rights of the individual is an evil the extent of which it is impossible to measure. We are at the moment engaged in a struggle to stop the State usurping in the interests of officialdom and to the detriment of the public and the property owner the rights of individuals to select duly qualified persons to do work that is purely personal. The forces behind officialdom are so powerful that it wants all our strength to maintain the struggle; but if we have the necessary courage we need not fear for the ultimate success of our stand for freedom.

He concluded by moving the following resolutions: "1. That with regard to the Royal Commission appointed on the 30th of July to consider the working of the Land Transfer Acts this meeting desires to place the following views on record: (*a*) That having regard to the fact that the work of conveyancing in this country is practically carried out by solicitors alone, and that consequently they alone have a first-hand knowledge of the details of the work of registration, the

absence of independent solicitors on the Commission is much to be deplored; (*b*) that the precedent established on the appointment of the Royal Commission in 1868 of issuing a second warrant to increase the number of Commissioners should be followed, and that an adequate number of solicitors possessing the necessary knowledge should be added to the Commission; (*c*) that as doubts exist as to whether the present terms of reference are sufficiently wide it is desirable that they should be so far enlarged as to enable the Commissioners to consider in particular whether or not the experiment of compulsory registration of title in London should be continued, and whether the Land Registry serves or can be made to serve any useful public purpose, and that the terms of the reference should be thus amended on the issue of a second warrant; (*d*) that the procedure of taking evidence *in camera* recently adopted by the Scotch Commission on Registration was unfortunate in the extreme, and that in the interest of the public it is highly expedient that on the pending inquiry the evidence should be taken in public. 2. That this meeting recommends the Council to send copies of the foregoing resolutions to the Lord Chancellor and to the Chairman of the Royal Commission, and to take such other steps as the Council may consider expedient in order that effect may be given thereto." The discussion of them was adjourned until after luncheon, in order that they might be put in a shape likely to be altogether acceptable to the meeting.

In the meantime,

Mr. C. H. MORTON (Liverpool), who described the paper as the best of a series of admirable papers which had been read by Mr. Rubinstein on the subject, said that at least two thirds of the solicitors practising in the country drew their income mainly from conveyancing transactions, and when it was considered in what peril these businesses must be placed in view of the report of the Royal Commission, it was most astonishing that no solicitor from the country or any provincial organization had been approached with a view to appointing some representative of the country lawyers on that body. It was true that Mr. Pennington represented, probably better than any other man could, the solicitors on the Commission, but he was in a somewhat difficult position, possibly an anomalous position. He was not an advocate of the solicitors entirely. He was a member of the Rule Committee, and was there more or less in a quasi-judicial capacity. And whilst he might feel it proper to put questions in chief or in cross-examination, he was not altogether as free as counsel would be in cross-examining before the Royal Commission. It was most essential that there should be somebody there who felt himself entirely free to cross-examine Mr. Brickdale or any of the official witnesses. There was the very great risk of a recommendation that the Land Registry system should be extended to the whole of England. If that were so, it would be possible for the Government by an amendment of the Act to repeal what was known as the "county council" clause. His own impression was that the report was more or less a foregone conclusion. Let them try to shew that the present system suited their clients, and that it was quick and economical. They would be met with the question as to whether it was reasonable that a title deed might have passed through three or four solicitors' hands in as many years, and each solicitor doing his duty by his clients must examine the abstract with as much care as if he had never seen it before. That was what they had to face before the Royal Commission, and that was one of the difficulties he saw in submitting their evidence. There was no doubt an enormous waste of labour over and over again. What was the remedy? Not the registration of deeds or titles. They were all agreed that the system in London was a bad one. He ventured to think the President had hit upon the solution in saying that it would be found in the assimilation of the law of ownership in goods to the law of ownership in land. That was that only the absolute conveyance from A. to B. should be recognized, and that all estates for life should be embodied in a separate instrument, which should not affect the title of the purchaser or the chargee. In that way they would protect their professional work, and have on the register a clean conveyance from A. to B., and nothing but that clean conveyance.

Mr. A. BROWNE (Nottingham) objected to the proposal of Mr. Rubinstein for the establishment of registries of deeds, which meant an extension of the officialism of which they desired to get rid.

Mr. G. CROMBIE (York), in reply to Mr. Browne, said that York, being a county borough, was not included in the Registry of Deeds for the county of Yorkshire, but the cry had gone up that there must be a registry for York. There had been a case in York where a solicitor had duplicated deeds and had borrowed money, and it was said that if there had been a registry of deeds such a thing could not have been perpetrated.

After the luncheon interval,

The PRESIDENT said that the object of the resolution was to enforce the view that the profession should be directly represented on the Royal Commission, and that that representation should include country as well as London solicitors. He was heartily in accord, and he thought the meeting generally would be. The resolutions were expressed in terms which were calculated to cause the least annoyance to anyone else.

Mr. S. S. SEAL (London) said he had never met anyone in favour of compulsory registration, and he had met with many who had spoken against it.

Sir JOHN GRAY HILL (Liverpool) said that the solicitors who had practical knowledge of the question knew pretty well that cases of fraud were so extremely rare that one need scarcely pay any attention to them. In a practice of forty-three years he had never come across a case of fraud by deed. Of course when a fraud did occur, and a solicitor appeared in it, the matter appeared in all its stages in the newspapers. Two schemes were put before them, one to register deeds. No one had denied, perhaps for want of sufficient knowledge, that the Scotch system of registration was very successful. With regard to Mr. Morton's proposition, he would suggest a little alteration. He would base it on the ship registry system. It was possible to register a transfer absolute or a mortgage on a ship. The mortgage might be in the form of a sum certain or of an account current. But nothing else could be registered. If there was to be a registry system at all it should include the mortgage, and not merely the simple transfer of the whole interest. He could not conclude without referring to one matter with indignation. Attacks had been made on the profession from time to time in which they had been accused of resisting the compulsory nature of registration for the protection of their own pockets, and he regretted that the late Lord Chancellor, when he was Lord Chancellor, had written an article in a magazine upon a publication by Mr. Brickdale, the converted registrar, in which he alleged that the solicitors, for their own selfish interest, had opposed this scheme. Against that he protested from the bottom of his soul.

Mr. A. CHAPMAN (London) remarked that Mr. Morton had not referred to leasehold interests. There must be included.

The PRESIDENT read the modified resolutions, as follows: "1. That with regard to the Royal Commission appointed to consider the working of the Land Transfer Acts, this meeting desires to place the following views on record: (*a*) That having regard to the fact that the work of conveyancing in this country is practically carried out by solicitors, the inadequate representation of solicitors on the Commission is much to be deplored; (*b*) that the precedent established on the appointment of the Royal Commission in 1868 of issuing a second warrant to increase the number of Commissioners should be followed, and that a sufficient number of solicitors possessing the necessary knowledge, representing the provincial law societies as well as London, should be added to the Commission; (*c*) that as doubts exist whether the present terms of reference are sufficiently wide it is desirable that they should be so enlarged as to enable the Commissioners to consider whether or not the experiment of compulsory registration of title in London should be continued, and whether any alternative conveyancing sytem is preferable; (*d*) that in the interest of the public it is highly expedient that the evidence on the pending inquiry should be taken in public. 2. That this meeting recommends the Council to send copies of the foregoing resolutions to the Lord Chancellor and to the Chairman of the Royal Commission, and to take such other steps as the Council may consider expedient in order that effect may be given thereto."

Mr. P. G. SHAW (London) seconded the motions. He asserted that the registry had been a hopeless failure. It had not only been an annoyance to the profession, but the public had been very considerable sufferers, more particularly in the development of estates, which in London had practically ceased. Development was taking place in the suburbs, but more outside the county than within. There was a want of confidence, and people would not deal in the same manner as formerly.

Mr. W. E. GILLETT (London), a member of the Council, said that if there was to be a registry it must be a ministerial registry, and not one to exercise judicial powers and practically try the titles passing through it. He bore testimony to the yeoman service which Mr. Pennington had rendered to the profession. The real fact was that it was not fair to ask one horse to drag a twenty-ton load up a hill, and he was in the position of having to steer a very delicate course as a member of the Rule Committee. It was totally unfair that the country should be altogether unrepresented, and that he should alone have to bear the burden.

Mr. J. H. COOKE (Winsford) remarked that the public should be assured on two points. One was that no system would prevent fraud if any person were determined to be fraudulent. Then, again, the public expected that registration should be done for practically nothing. As to the question of expense, they wished to do what was right by the public irrespective of their own pockets.

Mr. RUBINSTEIN, in reply, said that so long as the present system obtained in London it was a menace to the whole country. While it remained there a desire would exist on the part of the authorities to extend it. The country solicitors had to help those in London to get rid of it.

The motions were carried unanimously and with acclamation.

OUR JURY SYSTEM.

Mr. J. W. MARTIN (Reading) read the following paper:—

After some preliminary remarks Mr. Martin said: The question frequently occurs to one as to whether it is necessary at the present time to keep up the system of grand juries. One can well understand in days gone by (for the reasons before referred to) the liberty of the subject required the intervention of the grand jury, but in these enlightened days, after the sifting inquiry which invariably takes place before the magistrates, it seems to many that the grand jury may very well be dispensed with, especially now that we have a Court of Criminal Appeal. There has been a strong expression of opinion, both from the legal profession and the public, that the present system is a waste of time and energy, and that it adds considerably to the expense of our criminal procedure. All the witnesses for the prosecution in each case have to be at the assizes or sessions on the first days to go before the grand jury, though the trial may not come on for some days after. If there were no grand jury the pleas of the prisoners could be taken on the commission day at the assizes, and on the first day of sessions,

and in the cases where the prisoners pleaded guilty the witnesses need not come to the assizes at all. Numerous grand juries have made presentments from time to time for the abolition of grand juries on the ground that the duties imposed upon them were now totally unnecessary, involving a considerable loss of time to themselves and a heavy cost to the country. Serjeant Ballantine, in his "Experiences," in referring to grand juries at assizes, says: "His lordship in charging the grand jury probably congratulates them upon something and remits them to perform the not very arduous duties of endorsing their own previous committals, that tribunal being principally comprised of the magistrates of the county. The (Civil) court is densely crowded by barristers who during the charge to the grand jury are excluded from the crown court lest they should hear what the judge says, and take a hint from it. Of course, if there is anything useful to know the solicitors who are not excluded repeat it. This is an old-fashioned absurdity, which ought to be abolished." It is true that now and again grand juries throw out bills, and so save the time of the court to a very small extent, but as a matter of everyday practice very few bills are thrown out. If instead of summoning these twenty-four good and lawful men on the grand jury they had to take their chance of serving on the petty jury, in common with the men who now usually serve on the latter, it would, I think, be a good thing in the administration of justice and would be the means of naturally strengthening the status and dignity of the petty juries. As to what persons ought to be jurymen, and how qualified, Lord Coke some centuries ago said: "He that is of a jury must be *Liber Homo*; that is, not only a free man and not bond, but also one that hath such freedom of mind, as he stands indifferent, as he stands unsworn." He must be *legalis*, and by the law every juror that is returned for the trial of any issue or cause ought to have these properties (1) he ought to be dwelling most near to the place where the question is moved; (2) he ought to be most sufficient both for understanding and competency of estate; and (3) he ought to be least suspicious; that is, to be indifferent as he stands unsworn, and that he is accounted in law *liber et legalis homo*, otherwise he may be challenged and not sufficient to be sworn. The regulations concerning the summoning of juries and the present qualification of jurors are mainly contained in the Juries Act, 1825 (6 Geo. 4, c. 50), and the Juries Act, 1870 (33 & 34 Vict. c. 77). By the former Act the qualification of a common and petty juror is that he must be a freeholder or copyholder of the yearly value of £10, or a leaseholder of £20 yearly value for terms of not less than twenty-one years or for life, or be a householder rated or assessed to the poor rate or the inhabited house duty in the County of Middlesex on a value of not less than £30, or in any other county not less than £20. The qualification of a special juror by the 1870 Act is that he must be a man whose name shall be in the juror's book, and who shall be legally entitled to be called an esquire, or a person of higher degree, or a banker or merchant, or the occupier of a private dwelling-house rated to the poor rate or inhabited house duty on a value of not less than £100 in a town of 20,000 inhabitants, or elsewhere on a value of not less than £50, or he must be an occupier of premises other than a farm and rated on a value of £100, or a farm rated on a value of £300 (section 6). Notice of at least six days must be given to every juryman, and he need not serve more than once in any one year except on a grand jury. All persons over the age of sixty years are exempt from serving on juries, and in addition to the numerous persons exempt from serving on juries, as set out in section 9 of the 1870 Act, that privilege is now extended to all officers and men of the Territorial Army, provided they take care to have their names expunged from the jury lists submitted by the overseers to the magistrates. In trials of civil cases the juries are either special or common, and in important indictments or informations for misdemeanour, when the record is in the King's Bench Division, a special jury can be obtained on the motion of either prosecutor or defendant. The remuneration of a special juror is at the rate of £1 1s. each cause (with extra when a view is directed), to be paid by the parties to the causes to be tried, but a common juror receives no remuneration. In America the jurors are also paid in criminal courts, and this system is sometimes abused. Judge Hough, sitting at the criminal branch of the Federal Courts at New York as reecntly as the 22nd of July last, delighted the members of the Bar Association by declining to proceed with the case before him so long as "professional jurors" were empanelled. The jurors get 12s. 6d. a day, and it seems that men who have retired from business on slender incomes have filled the jury-box of this particular court with as unfailing regularity as the court reporter in his pew and the judge himself on the bench. These old gentlemen have been facetiously termed "The Amalgamated Association of Ancient Jurymen." To their immense astonishment they were dismissed. There was not one of the white-haired court attendants who could recall a jury at that branch of the circuit courts which did not contain some members of the "old guard." It seems an anomaly that special jurors should be paid and that common and petty jurors should receive no remuneration. Another important question naturally arises, whether or no the system of all the jury having to agree before finding a verdict of guilty or not guilty is now required. Would it not be an improvement on our present system if, say, a majority of three-fourths in criminal cases and two-thirds in civil actions were to have the power of giving verdicts? A great deal of time would be saved, and probably justice would in no way suffer. These are questions which require great consideration, but nevertheless they are worthy of thought by members of our profession. *Apropos* of this question, there is the well-known instance of the celebrated juryman who was in the minority of one after having been locked up for many hours, and, finally discharged, was heard to make the sage remark on leaving the court that he never came across eleven such obstinate men in his life. Lord Brampton gives in his Reminiscences an extraordinary story of interference with a juryman. "An enthusiastic young solicitor, defending for the first time a prisoner on a charge of murder, ingratiated himself with a juror-in-waiting likely to be called into the box when his client was tried. By dint of persuasion and perseverance he obtained a promise from the man that he would consent to no other verdict than that of manslaughter. The friendly juror-in-waiting was duly called into the box, and at the close of the hard-fought case the jury were unable to agree. Sent back by the judge the jurymen returned into court after a long interval with a verdict of manslaughter. 'How did you manage it? Eleven for wilful murder, eh?' asked the jubilant solicitor, on meeting the juryman. 'Eleven for murder! No, sir,' exclaimed the juror. 'What then?' 'Eleven for an acquittal! You may depend upon it, sir, the other jurors had been got at.'" In addition to the juries already referred to, there are those in the following courts where the qualification and numbers vary—viz., Coroner's Jury, County Courts, Divorce Court, Inquisition, Mayor's Court, and Sheriff's Court. In conclusion, the object of this paper is to ventilate the subject of our present jury system with a view, if thought desirable by the public and our profession, for legislation by way of reform in (*a*) Dispensing with the services of grand juries at the assizes and sessions; (*b*) taking into consideration the question of remuneration of all juries; (*c*) the acceptance of verdicts by a statutory majority both in criminal and civil cases.

Insurable Interest.

Mr. H. Kingsley Wood (London) read the following paper:—

The exact nature and legal sufficiency of the insurable interest of the person effecting a policy of insurance on the life of another in that life has some time been a matter of considerable discussion and numerous decisions in the courts. The matter has during the past session claimed the attention of Parliament, and last month the President of the Board of Trade caused a letter to be dispatched to every insurance company calling their attention to this subject and stating that care was to be taken that policies should not be issued where there is no insurable interest. The Act of Parliament dealing with the matter is, of course, Geo. 3, c. 48, known as the Gambling Act, which enacts: "That no insurance shall be made by any person or persons bodies politic or corporate on the life or lives of any person or persons or on any other event or events whatever where the person or persons for whose use benefit or on whose account such policy or policies shall be made shall have no interest or by way of gaining or wagering and that every assurance contrary to the true intent and meaning hereof shall be null and void to all intents and purposes whatsoever." This Act further provides that the beneficiary's name must be inserted in the policy and that no greater sum shall be received than the amount of the interest of the insured in the life for which such policy is issued. The Friendly Societies Act, 1896, indirectly deals with the matter by defining in section 8 of the Act what insurances can be effected by friendly societies, including collecting societies. The question of insurable interest is thus, as it were, defined by this section for such societies who cannot legally effect policies whether there is insurable interest or not outside the limitations of this section. The Married Women's Property Act also provides that a wife may effect an insurance on the life of her husband to any extent. The same Act enables her to effect an insurance on her own life for the benefit of her husband and children. There are numerous legal decisions on the question, many of which are difficult to reconcile, and a close examination shows, it is submitted, the necessity for a new Act of Parliament stating and settling the law. The test question as the basis of most of the decisions appears to be: Is there a pecuniary interest? The question of relationship to the life proposed naturally, therefore, does not affect the matter. Dependency is apparently a sufficient interest. Thus children before attaining their majority are no doubt dependent on their parents, and can insure accordingly. This doctrine has been carried perhaps to its fullest extent where in an action, *Barnes* v. *London, Edinburgh and Glasgow Life Insurance Co.* (1892, 1 Q. B. 864), to recover the amount of a policy of insurance upon the life of a child (the plaintiff's step-sister), evidence was given of a promise made by the plaintiff to the mother of the child to take care of the child and help to maintain it, it was held that the plaintiff had an insurable interest in the child's life, and was entitled, in the absence of any objection as to the amount expended by her, to recover the amount of the policy. A question of considerable difficulty has been as to whether the value of the interest of the insured is to be measured when the policy is effected or when the claim is to be paid. The former is now apparently the true construction of the Act. The question then arises as to what should happen if in the interval between the policy being effected and the claim being made the insurable interest has ceased to exist. Even if this had ceased, the policy money is due. Again, the policy may have been assigned, and in that case the question of insurable interest could not, of course, arise; if, however, it was a policy really taken out for the benefit of the assignee, and he had no insurable interest in the life proposed, it is an evasion of the statute, and the policy is void. Is the liability to pay for funeral expenses a sufficient insurable interest? In a recent case Mr. Justice Channell cast great doubt upon the contention that funeral expenses were not sufficient, although a decision of the Court of Appeal appears to be against regarding the same as a proper interest. This is, however, not generally regarded as settled law, and a decision of the highest tribunal would be acceptable to all interested in the

question. If there is an obligation to pay for the funeral of a person, surely this can be insured against as much as if that person owed the insurer money. The President of the Board of Trade, it is understood, has intimated that legislation dealing with this matter will be introduced probably during the next session of Parliament. Can we expect a settlement or modification of the law. In what direction should this be—to enlarge or restrict the present powers of insurers and insurance companies? In the first place, it is to be observed that insurance had advanced with rapid strides since the old Act of Parliament, and therefore any legislation will affect considerable interests and a larger number of people than before. There is a considerable amount of money invested in insurance companies, and nowadays it is the rule rather than the exception to insure. The reasons that inspired the restrictions of the previous Act of Parliament were doubtless the desire to prevent gambling in lives, and consequently protect human life. Is this necessity so acute to-day? It is submitted that nearly every insurance company discountenances such practices, apart from any law on the subject, and that it is carried on to a very limited extent, and then chiefly in connection with industrial policies. This change has been largely effected by the insurance companies themselves, for on such a state of things becoming known to them it is the rule to refuse further premiums and to cancel the policies. It is therefore, in the first place, submitted that there is a different condition of affairs now in existence; and secondly, insurance is a matter rather to be encouraged than otherwise. Everyone will agree that it is a wise precaution and a useful provision, and it should therefore be fostered and protected by the Legislature. It will doubtless be found necessary and advisable to continue and re-enact that a person effecting a policy must have an insurable interest in the life proposed, but is submitted, firstly, that here should be given a definition of insurable interest; secondly, that such definition should be a generous one. Certain moral obligations should be sufficient. The liability to pay for funeral expenses should be definitely recognised as a sufficient interest. This should not be limited in amount, but be reasonable, and should include the costs of mourning. Provision might be made that an insurance company could demand a statutory declaration that the intending insurer had an insurable interest in the life proposed and the amount thereof, and that this should, in the absence of fraud, be conclusive evidence of the fact, for it is submitted the penalties in respect of a false declaration would be sufficient to deter any abuse of this procedure. In these days of equal privileges to both sexes the Act might extend the privileges given to married women under the Married Women's Property Act to their husbands. Further, within specified relationships (such as father, mother, brother, sister, or child), insurable interest should not be required, but the relationship should be regarded as sufficient. This might be limited in amount if any danger therefrom was anticipated. It might be advisable to deal with life insurance separately, and specially from other branches of insurance where other circumstances and conditions prevail. In any event, if a new Act of Parliament is determined on, the same would, it is submitted, as well as defining and determining the law, be an opportunity of giving a further encouragement and impetus to insurance.

Professional Problems.

Mr. J. W. Reid (London) read the following paper:—

The aspects of the profession with which I propose to deal must be limited to two or three, since the time for dealing with them is limited. First, then, the fact that the profession is overstocked, and some of the consequences thereof, and any suggested remedy, demand attention. The rate at which the profession has increased will be sufficiently indicated by the following figures. The number of solicitors taking out certificates in England and Wales during recent years were as follows:—In the year 1853, 10,200; 1863, 10,350; 1873, 10,973; 1883, 13,066; 1893, 15,175; 1903, 16,265; 1907, 16,568. There is, of course, this main difference between the solicitor's profession and members of the bar. Hundreds of men get called to the bar without any serious intention of practising their profession. Sometimes for social position, sometimes as a stepping-stone to other appointments, men will put in the requisite time at one of the inns of court to get called to the bar. But one can hardly suppose that many men will qualify as solicitors and actually take out practising certificates unless they mean to practise their profession. The figures which I have given of solicitors in England and Wales who have taken out certificates for any given year by no means represent all the solicitors in existence at the particular date, for there are, of course, many hundreds of qualified solicitors who (whilst acting as clerks to other solicitors) do not take out annual certificates at all. The fact of the profession being overstocked has a two-fold effect: one, operating more particularly on the profession itself, in the constant attempts to undersell, and (in an age when cheapness goes for much) to acquire clients by doing work for less than the authorised remuneration; and another and far worse effect, operating far and wide on the public as well as the profession, in the resorting to dishonest practices to gain a livelihood because of the difficulty of making one honestly. The remedy for the overstocking of the profession is not easy to suggest. No one, I suppose, would now advocate a resort to methods similar to those of the oft-quoted Act of the reign of Henry VI., which after reciting that the number of attorneys was too great, enacted that thenceforth there should be only six attorneys in the county of Norfolk, six in the county of Suffolk, and two in the city of Norwich. Although I understand that the Stock Exchange limits the number of stockbrokers, it might be a difficult problem to fix what limit of numbers should apply to solicitors, and how to select those who were to be permitted to fill the vacant places. I venture to suggest, as one remedy, that a small amendment in the Solicitors Act, 1843, might be made, which would in the course of a few years operate as a useful check on the rate of production of solicitors. Section 4 of the Act enacts that "No attorney or solicitor shall have more than two clerks" (i.e., articled clerks) "at one and the same time." My comparatively mild remedy for strangling at birth a certain proportion of the infant solicitors is that, for the words "two clerks" in the above section, the words "one clerk" should be substituted. I have known firms of solicitors, consisting of four partners, where they have had their full complement of eight articled clerks. It is quite appalling to contemplate the improvident manner in which such firms go on reproducing the species "solicitor" regardless of the consequences. In humbler life the State to some extent educates and to some extent feeds its children: and ere long will no doubt to some extent clothe them, and bless them with old age pensions. But the future solicitor cannot look forward to such blessings at the hands of the State, and the well-to-do firms who are producing solicitors at this alarming rate ought to consider more carefully the serious responsibilities which they are undertaking. I once (many years ago) ventured to suggest this amendment of the Act of 1843 to some member or members of the then existing Council; but they pointed out to me that the more young gentlemen who came up to be examined in Chancery-lane the more fees were obtained by the society. I don't suppose that the present members of the Council will consider that a sound argument, for it was palpably a distinctly narrow way of looking at a subject which urgently needs attention. Another futile argument is that in any profession there is "always room on the top." Such an argument totally disregards the undoubted fact that the profession suffers, as a whole, from its excessive numbers, because, if any considerable number fail to get a bare living, they may begin to resort to speculative enterprises, if not to actually dishonest practices. It is observable, too, of recent years that those who need the assistance of the profession are inclined to take advantage of the fact that it is overcrowded by attempting to make hard bargains with the young solicitor before retaining him. I have myself met with such remarks as "Oh! our solicitor always does our conveyancing at two-thirds of the scale charge." Even when this sort of cutting down is not attempted, you may be met with the question (sometimes put in a jaunty, semi-jocular way), "Well, what are you going to take off?" I actually had a case where, after acting as trustee for some sixteen years without remuneration, I was asked to reduce a charge for appointing new trustees—not on the ground that the fees had not been well earned in the particular case, but on the ground that Mr. So-and-So had said that he only charged so much for appointments of new trustees. As though one could buy appointments of new trustees at so much a yard or so much the ounce! Another aspect of the profession which has been constantly alluded to at these meetings (but has still not greatly improved) is that a large number of solicitors choose not to be members of the Law Society. When it has been suggested that all solicitors ought to be compelled to join the society, the answer has been that legislation would be necessary to accomplish this, and that such legislation is not practicable. I am aware of some of the difficulties of getting any Bill (other than a Government Bill) through Parliament, having in fact some years ago drafted a Bill for paying the unfortunate common juryman. The Bill was approved by Conservatives and Liberals and passed second reading, but was ultimately blocked by Dr. Tanner. However, it does not seem that insurmountable difficulties would prevent legislation to accomplish what is needed. There may be other considerations which make any attempt to compel membership of the society inexpedient; and, if so, I think we should like to hear about them. In the year 1901 our President (Mr. J. S. Beale) read a paper at Oxford suggesting that the addition of the initials M.L.S. would tend to increase the membership of the society, and in the year 1903 at Liverpool a resolution was passed requesting the Council to consider the subject, and to consider "whether members could be recommended to place such initials at the head of their official letter paper." No doubt the Council did consider the subject, but as that was five years ago perhaps it might be worth while to consider it again. Anyhow, it is worth a great deal of consideration and reconsideration to arrive at some practical solution of the problem of how to extend the usefulness of the society by making it include all respectable members of the profession. The whole question of the annual payment to the Government for the privilege of practising as a solicitor (which in London amounts to £9 per annum) wants careful revision. No other profession is taxed so highly in this respect. If the impost were considerably reduced (if not swept away altogether) there would be no objection to substituting a much smaller annual payment for compulsory membership of the Law Society. Another short but important problem, and I have done. A question of much difficulty arises with regard to men whose names have been struck off the rolls, and who afterwards go as clerks to other solicitors. Many of us must know of instances where the clerkship position of the degraded solicitor is but a sham; and that it is the supposed clerk (and not the solicitor whose name appears on the door) who is really running the office. I know that the difficulty is represented by the question, "How can you prevent a man from going as clerk to any member of the profession who chooses to employ him?" Our medical friends have done something towards preventing the unqualified man from acting under cover of a name still appearing on the Medical Register. It ought not to be impossible to prevent a man who has been struck off the rolls from practising under the nominal supervision of a young man, who, in consequence of the extreme difficulty (in an overstocked profession) of making a start, has been induced to join himself to a degraded solicitor, who ought no longer to be permitted to conduct legal work.

The Vice-President (Mr. W. H. Winterbotham, London) pointed

out that solicitors had great privileges in the way in which their clerks could represent them, but it was quite different in the medical profession, and that was why the unqualified medical practitioner could be stopped so readily, whilst it was so difficult to stop the unqualified legal practitioner.

Mr. HENRY MANISTY (London), a member of the Council, said with regard to the last part of the paper the answer was that they could not attack the man who was not a solicitor, but they could attack the solicitor, and if he had allowed himself to be allied with a man who had been struck off the roll he would very soon find himself, if complaint were made, before the Discipline Committee. If it could be proved that he had allowed another man to use his name and conduct his business he would certainly be struck off the roll.

Mr. P. G. SHAW (London) said he was certain that if there were no dishonest public there would be no dishonest lawyers. He had met the rag-tag men who had been suspended and those who had not been suspended because they had never been on the roll, and he had never seen them with decent clients.

THE FORESHORE.

Mr. J. W. F. JACQUES (Burnham, Somerset) read a paper, which we hope to print hereafter.

VOTES OF THANKS.

Votes of thanks were passed to the Lord Mayor and Lady Mayoress, the Vice-Chairman of the University, the Birmingham Law Society, and to the President.

BANQUET.

In the evening a banquet was held in the Grosvenor Rooms, Grand Hotel, at which Mr. Walter Barron (president of the Birmingham Law Society) took the chair. Among the guests were the Bishop of Birmingham, His Honour Judge Amphlett, K.C., Mr. J. J. Parfitt, K.C., the President and Vice-President of the Law Society, Mr. R. Ellett, Sir Albert Rollit, Sir John Gray Hill, Mr. W. E. Gillett, Mr. S. Garrett, Mr. W. Dowson, Mr. H. Manisty, Mr. B. Arkle (president of the Incorporated Law Society of Liverpool), Mr. E. Hewitt (president of the Manchester Law Society), Mr. E. V. Hiley (Town Clerk of Birmingham), Mr. Alderman C. G. Beale, Professor Ashley, etc.

Mr. ROBERT ELLETT said it was hoped they would have had the pleasure of the company of Lord Wolverhampton, but unhappily at the last moment, by reason of family bereavement, his lordship was unable to be present. In the circumstances, instead of the toast of Lord Wolverhampton's health, which it was intended to propose, he would move the following resolution: "The members attending the banquet at the provincial meeting of the Law Society at Birmingham desire to convey to the Right Hon. Lord Wolverhampton their congratulations on his elevation to the peerage, and on the fact that he is the first solicitor to sit in the House of Lords, and to record a grateful recognition of the honour which his lordship has, by his distinguished career, brought on the solicitor branch of the legal profession."

Mr. J. E. UNDERHILL (president of the Wolverhampton Law Society) seconded the resolution, which was carried with loud acclamation, and the health of Viscount Wolverhampton, which was proposed by the CHAIRMAN, was cordially honoured.

The CHAIRMAN proposed the toast of "The Law Society."

The PRESIDENT, in returning thanks, said the Law Society were a body whose virtues were not thoroughly recognized. He had heard it said that the Council were of no real use to the members of the profession. He was a Birmingham man, and was proud of the city.

Sir ALBERT ROLLIT proposed "The City of Birmingham," acknowledging the hospitality which had been extended to the society.

The BISHOP OF BIRMINGHAM responded, and the final toast was that of "The Chairman of the Birmingham Law Society," proposed by Sir JOHN GRAY HILL.

Solicitors' Benevolent Association.

The annual meeting of the Solicitors' Benevolent Association was held on Thursday, the 1st inst., in the Council Chamber, prior to the resumption of the reading of papers, Mr. WALTER DOWSON (deputy chairman of the board) presiding. The report stated that the association has now 4,094 members enrolled, of whom 1,278 are life and 2,816 annual subscribers. Seventy-five of the annual subscribers are in addition life members of the association. The association celebrates its jubilee this year, and a general effort is being made to increase the reliable income from annual subscriptions, as well as to invite special donations to the jubilee year festival. Some 400 new subscribers have been enrolled during the year 1908, and although discounted by the falling off from death and other causes, it is confidently hoped that before the close of the jubilee year the increase of membership may be recorded at 500. The net result of the jubilee year festival, which included a donation from the chairman, Sir John Hollams, of £1,000. was £3,790 14s. 11d., and, in addition to that amount, a sum of £100 15s. India 3 per cent. Stock has been presented to the association by the Gloucestershire and Wiltshire Incorporated Law Society as a jubilee gift, being the amount of the "Ellett Benevolent Fund" of that society. During the year the residue of the estate under the will of the late Miss Mary Jane Rigtail Kinderley was transferred by the executors to the trustees of the association. The securities now held are of the estimated value of £10,896 1s. 7d. In accordance with the trust four annuities of £52 each have been created, payable to members of the association or their widows. The residue of income arising from the investments is to be known as the Kinderley Special Relief Fund, and is primarily applicable either for the temporary or permanent maintenance in any resident or convalescent home of persons for whose benefit the funds of the said association are applicable, or in any other special form of relief or assistance for the benefit of such persons (other than pecuniary gift) which may seem advisable to the board. Included in the receipts is a legacy of £100 under the will of the late Miss Emily Osbaldeston; £12 10s., being balance of legacy of £100 under the will of the late Mr. N. Girling; and £78 7s. 5d., further on account and in settlement of legacy of £200 under the will of the late Mrs. E. E. Paterson. The investment of £500 represents a donation given anonymously by a "Liverpool Solicitor," and included in the jubilee festival receipts. During the year 231 grants were made from the funds, amounting to £5,659 10s. Of this sum four members and forty-four members' families received £1,975, while fifty non-members and 133 non-members' families received £3,684 10s. The sum of £175 was also paid to annuitants from the income of the late Miss Ellen Reardon's bequest; £28 to the recipient of the "Hollams Annuity, No. 1"; £30 to the recipient of the "Hollams Annuity, No. 2"; £30 to the recipient of the "Victoria Jubilee Annuity (1887)"; and £37 3s. to the recipient of the "Henry Morten Cotton Annuity." The sum of £240 was also paid to pensioners from the "Victoria Pension Fund," and three grants amounting to £90 3s. 2d. were made from the Special Relief Fund connected with the "Kinderley Trust." The total relief granted during the year, therefore, amounted to £6,289 16s. 2d. The report was adopted, on the motion of the Chairman.

The Bristol Incorporated Law Society.

The following are extracts from the report of the council:—

Disbursements.—The council desire to draw attention to the decision of the Court of Appeal in the case of *Sadd* v. *Griffin* (reported 1908, 2 K.B. 510), by which it has been decided that for the purposes of taxation under the Solicitors Act, 1843, the word "disbursements" in section 37 means actual payments before delivery of the bill, and that any sums claimed in the bill as "disbursements" and not paid before its delivery must be disallowed, and that it is not sufficient for such items to be paid before the taxation is completed as has hitherto been the general practice. The matter is under the consideration of the Council of the Law Society, who have caused a rule to be prepared for the consideration of the Rule Committee to meet the difficulty created by the decision.

Legal Education.—The grant of £150 from the Law Society has, the council are pleased to state, again been renewed. Since the last report fourteen courses of lectures have been given, as follows:—Six on Equity, Common Law and the Law of Contract, and two on Roman Law, for senior students, by Mr. A. M. Wilshire, barrister-at-law; and six by Mr. C. Alan Chilton, solicitor, for senior and junior students on the practice of the High Court, Civil Injuries, Ecclesiastical Law, Constitutional Law and the Law of Local Government, Real and Personal Property and Conveyancing. The total number of students entering for these lectures was 28.

During the year seventeen articled clerks from Bristol passed the examinations of the Law Society; of these five passed the Intermediate examination and twelve the Final examination. Of the latter, one obtained first class honours, namely, Mr. Harold Fisher, articled to Mr. George Pearson, and one obtained third class honours, namely, Mr. Charles Gordon Thomas, articled to Messrs. Tanner & Clarke. A prize of £10 10s in law books was awarded by this society to Mr. Fisher, and one of £3 3s. to Mr. Thomas.

Land Transfer.—A Royal Commission has been appointed to inquire into the working of the Land Transfer Acts, and in view of this it was determined at the annual meeting of the Associated Provincial Law Societies that evidence should be tendered on its behalf before the Commission, and that a special committee of the association should be appointed to make the necessary arrangements. This society is among those societies which have been requested to nominate a member to serve on this committee, and the council have nominated Mr. Sturge accordingly. No meetings of either the commission or the special committee have yet been held.

Circuit Changes.—It has been decided to apply for an Order in Council providing that in future civil business shall be taken at Bristol at the Autumn Assizes instead of criminal business only as at present. It is apprehended, however, that the order will not be obtained in time for the change to take effect this year.

University in Bristol.—The council unanimously passed a resolution in favour of the establishment of a university in Bristol, believing that the same would help towards the desirable object of placing legal education on a more scientific basis.

Banks as Executors and Trustees.—During the past year it was brought to the notice of the council that the Union of London & Smiths Bank, Limited, had issued a prospectus stating that they were prepared to act as executors and trustees under wills, and as trustees under settlements and other documents. As the result of communication between the council and the bank a satisfactory assurance was received from the latter that the bank would, whenever practicable, employ in regard to any trust or executorship business the solicitor who had previously acted, and would not interfere with the practice of our profession as at present carried on in regard to such business.

The Provincial Meeting of the Law Society.—The council has provisionally invited the Law Society to hold its Provincial meeting in Bristol in 1910, which invitation this meeting will be asked to confirm. The last occasion on which this meeting was held here was in 1894.

The Solicitors' Benevolent Association.—The council regret that the President's appeal on behalf of the funds of the Solicitors' Benevolent Association, in this its jubilee year, was not more generally responded to. It is hoped that some more subscriptions may yet be received before the expiration of the current year.

Mr. John Miller.—The members of the council retiring by rotation are Mr. H. G. Bush, Mr. W. C. H. Cross, and Mr. J. Miller. In pursuance of the power given them by the 14th article of association the council nominates Mr. H. G. Bush for re-election. It is not possible, however, for them to allow the retirement of Mr. John Miller from among them to pass without a special reference to his long, honourable, and useful career as one of their number. It is now exactly fifty years since Mr. Miller was elected a member of the former Bristol Law Library Society, and since the formation of the present society in 1871 he has continuously been a member of the council, except for a period of one year in 1873 and a period of three years from 1876 to 1879, during which, under the then existing articles of association, he was not eligible. For the last twenty-nine years his membership of the council has, therefore, been uninterrupted. While taking an active interest in every matter that came before the council, the library was for many years a special object of his attention, and the grateful thanks not only of his colleagues, but also of the whole profession in Bristol, are due to him for his assiduous care for everything that tended to maintain the honour and integrity of the profession.

Law Students' Journal.

Law Students' Societies.

LAW STUDENTS' DEBATING SOCIETY.—Oct. 6.—Chairman, Mr. G. C. Blagden.—The subject for debate was: "That the case of *Johnson* v. *Kearley* (1908, 2 K. B. 514) was wrongly decided." Mr. A. C. Dowding opened in the affirmative, Mr. S. A. Guest seconded in the affirmative; Mr. T. B. Harston opened in the negative, Mr. R. W. Handley seconded in the negative. The following members also spoke: Messrs. W. M. Pleadwell, G. L. Wates, F. C. Goodwin, D. S. Cornock, J. Richardson, F. Birch, and J. W. Moore. Mr. A. C. Dowding having replied, the question was carried by 12 votes to 7.

BIRMINGHAM LAW STUDENTS' SOCIETY.—Oct. 6.—Chairman, Mr. J. S. Pritchett, barrister-at-law.—The following moot was debated: "That the case of *Hyams* v. *Stuart King* (52 SOLICITORS' JOURNAL, 551; 1905, W. N. 145) was rightly decided." The debate was opened by Mr. H. Bickett Barker, who was followed by Messrs. T. D. Walthall, P. T. Currie, J. D. Sampson, E. H. Clutterbuck, and R. R. C. Yates; the subject was opposed by Mr. G. A. Baker, supported by Messrs. T. H. Bethell, H. E. Swallow, and H. V. Argyle. The openers having replied, after an interesting summing up by the chairman, the question was put to the meeting, and resulted in favour of the affirmative by a narrow majority. A hearty vote of thanks to the chairman concluded the proceedings.

Obituary.

Mr. T. H. Baylis.

Mr. Thomas Henry Baylis, K.C., died at Bournemouth on Sunday last in his ninety-second year. He was educated at Harrow and Brasenose College, Oxford, and, after practising as a special pleader for several years, was called to the bar in 1856, joining the Northern Circuit. He was made a Queen's Counsel in June, 1875. He was appointed presiding judge of the Lord Mayor's Court of Passage, Liverpool, in 1876, and resigned that office in 1903. He took a great interest in the Volunteer Force.

Legal News.

Changes in Partnerships.

Dissolutions.

RICHARD CHAMBERLAIN FAITHFULL and CHARLES ROBERTS LEAR, solicitors (Faithfull & Lear), Thanet House, Temple Bar, London. Sept. 29.

JENKIN JONES and WILLIAM JOHN TREHARNE, solicitors (Jenkin Jones & Treharne), Swansea. Sept. 30.

JOHN HASSALL KIRTLEY and ROBERT ARTHUR DENDY, solicitors (Thompson, Kirtley, & Dendy), 3, Raymond-buildings, Gray's-inn, London. Sept. 30. [*Gazette*, Oct. 2.

Information Required.

ARTHUR WILLIAM ORLANDO BRIDGEMAN.—Any person who has knowledge of a Will made by Arthur William Orlando Bridgeman, late of 75, Station-road, Church-end, Finchley, deceased, is requested to communicate with Messrs. Tamplin, Tayler, & Joseph, of 165, Fenchurch-street, London, E.C.

General.

We are glad to learn that his Honour Sir Sherston Baker, judge of the County Courts of Lincolnshire, has returned to England in improved health from Madeira, where he spent the month of September.

It is announced that cases in the Special Paper, which it was arranged should be heard during the first week of the ensuing Michaelmas sittings, beginning on Monday next, will not be taken until Monday, the 19th inst., and two following days. Mr. Justice Jelf will hear those cases.

The British delegates to the Copyright Conference will be:—Sir Henry Bergne, K.C.B., K.C.M.G.; Mr. G. R. Askwith, K.C., Assistant Secretary of the Board of Trade; and Count de Salis, Councillor of his Majesty's Embassy at Berlin. The secretaries are Mr. R. L. Craigie, of the Foreign Office, and Mr. T. W. Phillips, of the Board of Trade. The first meeting of the conference is to be held in Berlin, on the 14th of October.

Lawrance and Bucknill, JJ., have fixed the following commission days for the Autumn Assizes on the Western Circuit:—Salisbury, Monday, October 12; Dorchester, Thursday, October 15; Bodmin, Monday, October 19; Exeter, Friday, October 23; Taunton, Friday, October 30; Winchester, Thursday, November 5; Bristol, Monday, November 16. Mr. Justice Lawrance will go alone as far as Winchester, and at the conclusion of the business there he will return to London. Mr. Justice Bucknill will join the Circuit at Bristol.

The benchers of Gray's Inn are, says the *Times*, taking steps, in connection with the three-hundredth anniversary of the election of Francis Bacon as Treasurer of the Inn, to commemorate his lifelong association with their society. It was on the 17th of October, 1608, that he was elected treasurer. At a luncheon to be given in Gray's Inn-hall on the 17th inst., the benchers will entertain a numerous company of those whose positions and pursuits give them particular reasons for interest in Bacon's career; and the first night in term will be observed in Hall by the members of the society as a Bacon Anniversary. It is probable also that some memorial of Bacon of a permanent character will be placed in one of the open spaces of Gray's Inn.

The following are the commission days fixed by the Lord Chief Justice and Darling, J., for holding the Autumn Assizes on the Oxford Circuit:—Reading, Thursday, October 22; Oxford, Tuesday, October 27; Worcester, Friday, October 30; Gloucester, Wednesday, November 4; Monmouth, Monday, November 9; Hereford, Thursday, November 12; Shrewsbury, Monday, November 16; Stafford, Thursday, November 19. The date for Birmingham has not been definitely fixed, but it is expected to be either Saturday, November 28, or Monday, November 30. Mr. Justice Darling will go on the Circuit alone as far as Hereford, and at the conclusion of the business there he will return to London. The Lord Chief Justice will join the Circuit at Shrewsbury, and will go on alone to Stafford, afterwards being joined at Birmingham by Mr. Justice Sutton.

"They do these things better in France," we are tempted, says a writer in the last issue of the *Journal of the Society of Comparative Legislation*, to exclaim, with the author of "The Sentimental Journey," in reading the evidence as to the bankruptcy system in France given before the Board of Trade Bankruptcy Committee that has just reported. France, to begin with, has a very high standard of commercial honour. More than a hundred years ago the National Convention resolved that a man who had contracted a debt should never be free from liability to pay it, and to that ideal France has steadily adhered, and still adheres in this sense, that an insolvent debtor cannot be civilly "rehabilitated" until he has paid every penny he owes; and though the relief of bankruptcy is now conceded, the privilege is confined to traders. But it is in its disciplinary dealing with offending debtors that the superiority of the French methods discovers itself. Here in England a debtor may evade, and does evade, retribution for his offences by the simple expedient of not applying for his discharge. There is no machinery to compel him to face that ordeal, and it is not worth anybody's while to prosecute for criminal offences. In France the debtor must be punished if he commits any of the offences comprehended under the terms "*banqueroute simple*" and "*banqueroute frauduleuse.*" Extravagance in living, gambling, or speculation, giving fraudulent preferences, staving off bankruptcy by buying things on credit and re-selling them below their value—all these fall within the category of "*banqueroute simple*," and are punishable with imprisonment varying from one month to two years. The worse offences of making away with books, concealing property, or fabricating fictitious debts—which constitute "*banqueroute frauduleuse*"—are visited with the French equivalent of penal servitude—*travaux forcés*—from five to twenty years. Even simple insolvency—*faillite*—may be punished if the trader fails to file his petition for fifteen days after finding himself insolvent. This is another feature of the French system not without its lesson for us; for it is the struggle to keep going on the part of a debtor who is hopelessly insolvent which so often plunges him deeper in the financial quagmire, and leads to those reckless borrowings, fraudulent preferences, and fraudulent settlements that furnish the chief occupation for the Court in Bankruptcy. The difficulty is that "knack of hoping" which so many debtors share with Goldsmith—witness the inflated estimate which they put upon their assets in the statement of their affairs. How are we to combat this incurable optimism?

Lord Justice Buckley, in a case heard by the Court of Appeal a day or two before the Long Vacation began, indulged, says a writer in the *Globe*, in a philosophical classification of witnesses. There are, according to the Lord Justice, four classes of witnesses (1) the timid, who is afraid to say too much, and therefore seldom comes up to his proof; (2) the enthusiastic witness, who always exaggerates, however unwittingly; (3) the witness who is neither nervous nor given to exaggeration, and tells a plain, straightforward story; (4) the witness who tells the truth, but not the whole truth, and keeps something back. A more epigrammatic judge, it will be remembered, divided witnesses into three classes: "Liars, —— liars, and expert witnesses."

A quaint yet interesting and impressive ceremony which Mr. Campbell, K.C., the newly-appointed Scottish judge, will have to go through before he ascends the Bench, like all those judges who have been appointed before him, will take place, says the *Globe*, at Edinburgh at the beginning of the term. The new judge, in Court dress, and carrying in his hand a three-cornered hat, appears in the First Division of the Court of Session, and hears a case argued before the Judges of that Court. He then repairs to the Court of the Senior Lord Ordinary, along with whom he hears a case debated in the procedure roll. Meantime, all the judges have assembled in the First Division, and the Senior Lord Ordinary, and the "Lord Probationer," as the new judge is called, return to that court, when the Lord Probationer delivers judgment on both cases he has heard. If the judges approve of the judgment, the Lord President announces to the Lord Probationer that he has "passed his trials." The latter then "robes," and the Lord President then invites his Lordship to his seat on the Bench with, as the quaint formula has it, "the judicial title of Lord ——." The new judge then ascends the Bench, and shakes hands with each of his brethren in turn. This ceremony may last quite a considerable time, depending, of course, on the length of counsel's speeches in the cases the new judge has to hear. Great interest is invariably taken in this ceremony in Edinburgh. The Court-room is thronged with members of the bar, solicitors, and the general public.

Court Papers.

Supreme Court of Judicature.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	Emergency Rota.	Appeal Court No. 2.	Mr. Justice Joyce.	Mr. Justice Swinfen Eady.
Monday ...Oct. 12	Mr Leach	Mr Borrer	Mr Beal	Mr Bloxam
Tuesday 13	Farmer	Greswell	Goldschmidt	Leach
Wednesday 14	Goldschmidt	Beal	Church	Farmer
Thursday 15	Church	Goldschmidt	Synge	Borrer
Friday 16	Beal	Church	Theed	Greswell
Saturday 17	Theed	Synge	Tindal King	Beal

Date.	Mr. Justice Warrington.	Mr. Justice Neville.	Mr. Justice Parker.	Mr. Justice Eve.
Monday ...Oct. 12	Mr Farmer	Mr Synge	Mr Church	Mr Tindal King
Tuesday 13	Borrer	Theed	Synge	Bloxam
Wednesday 14	Greswell	Tindal King	Theed	Leach
Thursday 15	Beal	Bloxam	Tindal King	Farmer
Friday 16	Goldschmidt	Leach	Bloxam	Borrer
Saturday 17	Church	Farmer	Leach	Greswell

MICHAELMAS SITTINGS 1908.

COURT OF APPEAL.

APPEAL COURT I.

King's Bench Division (New Trial Paper) will be proceeded with on and after Tuesday, the 13th of October.

Other Business to be taken in this Court will from time to time be announced in the Daily Cause List.

APPEAL COURT II.

Chancery Division (General List) will be proceeded with on and after Tuesday, the 13th of October.

Other Business to be taken in this Court will, from time to time, be announced in the Daily Cause List.

HIGH COURT OF JUSTICE.

CHANCERY DIVISION.

LORD CHANCELLOR'S COURT.
MR. JUSTICE JOYCE.

Except when other Business is advertised in the Daily Cause List Actions with Witnesses will be taken throughout the Sittings.

CHANCERY COURT I.
MR. JUSTICE SWINFEN EADY.

Except when other Business is advertised in the Daily Cause List Mr. Justice SWINFEN EADY will take Actions with Witnesses daily throughout the Sittings.

CHANCERY COURT II.
MR. JUSTICE WARRINGTON.

Mon., Oct. 12...Motions
Tuesday .. 13...Fur con, and non-wit list
Wednesday 14 } Non-wit list.
Thursday ...15 }
Friday ..... 16 Mots and non-wit list
Saturday ..17 { Sht caus, pets, and non-wit list
Monday.....19...Sitting in chambers
Tuesday ...20...Fur con, and non-wit list
Wednesday 21 } Non-wit list
Thursday ...22 }
Friday ..... 23...Mots and non-wit list
Saturday ...24 { Sht caus, pets, and non-wit list
Monday.....26 . Sitting in chambers
Tuesday .. 27 . Fur con and non-wit list
Wednesday 28 } Non-wit list
Thursday ....29 }
Friday ... . 30 Mots and non-wit list
Saturday ...31 { Sht caus, pets, and non-wit list
Monday Nov. 2 . Sitting in chambers
Tuesday ..... 3...Fur con, and non-wit list
Wednesday 4 } Non-wit list
Thursday ... 5 }
Friday ..... 6...Mots and non-wit list
Saturday ... 7 { Sht caus, pets, and non-wit list
Monday..... 9 . Sitting in chambers
Tuesday .. 10...Fur con and non-wit list
Wednesday 11 } Non-wit list
Thursday ...12 }
Friday .....13 . Mots and non-wit list
Saturday ...14 { Sht caus, pets, and non-wit list
Monday.....16...Sitting in chambers
Tuesday ...17...Fur con and non-wit list
Wednesday 18 } Non-wit list
Thursday ...19 }
Friday ..... 20 . Mots and non-wit list
Saturday .. 21 { Sht caus, pets, and non-wit list
Monday..... 23 ..Sitting in chambers
Tuesday .. 24...Fur con and non-wit list
Wednesday 25 } Non-wit list
Thursday ...26 }
Friday .....27...Mots and non-wit list
Saturday ...28 { Sht caus, pets, and non-wit list
Monday..... 30...Sitting in chambers
Tues., Dec. 1...Fur con and non-wit list
Wednesday 2 } Non-wit list
Thursday ... 3 }
Friday ..... 4...Mots and non-wit list
Saturday ... 5 { Sht caus, pets, and non-wit list
Monday..... 7...Sitting in chambers
Tuesday ... 8 { Companies Acts and non-wit list
Wednesday 9 } Non-wit list
Thursday ...10 }
Friday .....11...Mots and non-wit list
Saturday ...12 { Sht caus, pets, and non-wit list
Monday..... 14 . Sitting in chambers
Tuesday .. 15 { Companies Acts and non-wit list
Wednesday 16 } Non-wit list
Thursday ...17 }
Friday ..... 18...Mots and non-wit list
Saturday ...19 { Sht caus, pets, and non-wit list
Monday..... 21...Remaining matters.

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard, and the necessary Papers, including two copies of the minutes of the proposed judgment or order must be left with the judge's clerk one clear day before the cause is to be put into the paper.

N.B.—The following papers on further consideration are required for the use of the judge, viz.:—Two copies of minutes of the proposed judgment or order, 1 copy pleadings, and 1 copy master's certificate, which must be left in court with the judge's clerk one clear day before the further consideration is ready to come into the paper.

CHANCERY COURT III.
MR. JUSTICE NEVILLE.

Mon., Oct. 12...Motions
Tuesday ...13 { Companies Acts and non-wit list
Wednesday 14 } Non-wit list
Thursday ...15 }
Friday .....16 . Mots and non-wit list
Saturday ...17 { Sht caus, pets, and non-wit list
Monday.....19 . Sitting in chambers
Tuesday ...20 { Companies Acts and non-wit list
Wednesday 21 } Non-wit list
Thursday ...22 }
Friday .. ...23 . Mots and non-wit list
Saturday ... 24 { Sht caus, pets, and non-wit list
Monday .....26...Sitting in chambers
Tuesday ...27 { Companies Acts and non-wit list
Wednesday 28 } Non-wit list
Thursday ...29 }
Friday .....30 Mots and non-wit list
Saturday .. 31 { Sht caus, pets, and non-wit list
Mon. Nov. 2...Sitting in chambers
Tuesday..... 3 { Companies Acts and non-wit list
Wednesday 4 } Non-wit list
Thursday ... 5 }
Friday ..... 6...Mots and non wit list
Saturday ... 7 { Sht caus, pets, and non-wit list
Monday..... 9 . Sitting in chambers
Tuesday .. 10 { Companies Acts and non-wit list
Wednesday 11 } Non-wit list
Thursday ...12 }
Friday ... . 13...Mots and non-wit list
Saturday ...14 { Sht caus, pets, and non-wit list
Monday.....16 . Sitting in chambers
Tuesday ...17 { Companies Acts and non-wit list
Wednesday 18 } Non-wit list
Thursday . 19 }
Friday .....20...Mots and non-wit list
Saturday ..21 { Sht caus, pets, and non-wit list
Monday..... 23 . Sitting in chambers
Tuesday .. 24 { Companies Acts and non-wit list
Wednesday 25 } Non-wit list
Thursday ...26 }
Friday .....27...Mots and non-wit list
Saturday ...28 { Sht caus, pets, and non-wit list
Monday.....30 . Sitting in chambers
Tues., Dec. 1 { Companies Acts and non-wit list
Wednesday 2 } Non-wit list
Thursday ... 3 }
Friday ..... 4...Mots and non-wit list
Saturday .. 5 { Sht caus, pets, and non-wit list
Monday..... 7...Sitting in chambers
Tuesday ... 8 { Companies Acts and non-wit list
Wednesday 9 } Non-wit list
Thursday ...10 }
Friday .....11...Mots and non-wit list
Saturday ...12 { Sht caus, pets, and non-wit list
Monday..... 14 . Sitting in chambers
Tuesday ... 15 { Companies Acts and non-wit list
Wednesday 16 } Non-wit list
Thursday ...17 }
Friday ..... 18...Mots and non-wit list
Saturday ...19 { Sht caus, pets, and non-wit list
Monday... . 21...Non-wit list

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard. The necessary papers, including two copies of minutes of the proposed judgment or order, must be left in court with the judge's clerk not less than one clear day before the cause is to be put in the paper. In default the cause will not be put in the paper.

N.B.—The following papers on further consideration are required for the use of the judge, viz.:—Two copies of minutes of the proposed judgment or order, 1 copy pleadings, and 1 copy master's certificate. These must be left in court with the judge's clerk not less than one clear day before the further consideration is ready to come into the paper.

CHANCERY COURT IV.
MR. JUSTICE PARKER.

Except when other business is advertised in the Daily Cause List Mr. Justice PARKER will take Actions with Witnesses daily throughout the Sittings.

KING'S BENCH COURT.
MR. JUSTICE EVE.

Mon., Oct. 12 . Motions
Tuesday ...13...Fur con and gen pa
Wednesday 14 } General paper
Thursday .. 15 }
Friday .....16...Mots and gen pa
Saturday ...17 { Mancuester and Liverpool business
Monday .....19...Sitting in chambers
Tuesday ...20 { Sht caus, pets, and fur con
Wednesday 21 } General paper
Thursday ...22 }
Friday .....23 . .Mots and gen pa
Saturday ...24 ..General paper
Monday .... 26...Sitting in chambers
Tuesday ...27...Sht caus, pets, and fur con
Wednesday 28 } General paper
Thursday ...29 }
Friday ..... 30...Mots and gen pa
Saturday ...31 { Liverpool and Manchester business
Mon., Nov. 2 Sitting in chambers
Tuesday ... 3 { Sht caus, pets, fur con and gen pa
Wednesday 4 } General paper
Thursday ... 5 }
Friday ..... 6 . Mots and gen pa
Saturday ... 7...General paper
Monday ..... 9...Sitting in chambers
Tuesday.....10 { Sht caus, pets, fur con and gen pa
Wednesday 11 } General paper
Thursday .. 12 }
Friday ..... 13...Mots and gen pa
Saturday ...14 { Manchester and Liverpool business
Monday ... 16...Sitting in chambers
Tuesday ...17 { Sht caus, pets, fur con and gen pa
Wednesday 18 } General paper
Thursday ...19 }
Friday .....20...Mots and gen pa
Saturday ...21 . General paper
Monday.....23...Sitting in chambers
Tuesday ...24 { Sht caus, pets, fur con and gen pa
Wednesday 25 } General paper
Thursday ...26 }
Friday ..... 27...Mots and gen pa
Saturday ...28 { Liverpool and Manchester business
Monday..... 30...Sitting in chambers
Tuesday Dec.1 { Sht caus, pets, fur con and gen pa
Wednesday .. 2 } General paper
Thursday ... 3 }
Friday ..... 4...Mots and gen pa
Saturday ... 5 . General paper
Monday..... 7...Sitting in chambers
Tuesday ... 8 { Sht caus, pets, fur con and gen pa
Wednesday 9 } General paper
Thursday ...10 }
Friday .....11...Mots and gen pa
Saturday ...12 { Manchester and Liverpool business
Monday..... 14...Sitting in chambers
Tuesday ...15 { Sht caus, pets, fur con and gen pa
Wednesday 16 } General paper
Thursday ...17 }
Friday .....18...Mots and gen pa
Saturday .. 19 } General paper
Monday.....21 }

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard. Two copies of the minutes of the proposed judgment or order must be left in court with the judge's clerk one clear day before the cause is to be put in the paper. In default the cause will not be put in the paper.

N.B.—The following papers on further consideration are required for the use of the judge, viz.:—Two copies of minutes of the proposed judgment or order, 1 copy pleadings, and 1 copy master's certificate, which must be left in court with the judge's clerk one clear day before the further consideration is ready to come into the paper.

COURT OF APPEAL.

MICHAELMAS SITTINGS, 1908.

The Appeals or other Business proposed to be taken will, from time to time, be announced in the Daily Cause List.

FROM THE CHANCERY DIVISION, THE PROBATE, DIVORCE AND ADMIRALTY DIVISION (PROBATE AND DIVORCE), AND THE COUNTY PALATINE AND STANNARIES COURTS.

(General List.)

1908.

Seward and anr v Met Electric Tramways ld appl of pltffs from order of Mr. Justice Warrington, dated Oct 25, 1907, and cross-notice by deft, dated Feb 8, 1908 Feb 8

In re Clifford, dec Hart and ors v Reeve and ors appl of defts from order of Mr Justice Neville, dated Nov 16, 1907 March 6

Attorney-Gen v Birmingham, &c. Drainage Board appl of defts from judgt of Mr Justice Kekewich, dated Nov 21, 1907 (s o 2nd day Hilary, 1909) March 14

White v Summers appl of deft from order of Mr Justice Parker, dated April 6, 1908. April 10

The Great Western Ry Co v The Midland Ry Co appl of pltffs from order of Mr Justice Warrington, dated May 26 1908 June 5

Elliston and ors v Reacher and ors appl of defts from judgt of Mr Justice Parker, dated May 15, 1908 June 10

West Surrey Wool and Flock Mills ld and ors v Louis Henry Raw appl of deft from judgt of Mr Justice Joyce, dated March 6, 1908 June 11

Foden v Wallis & Steevens ld appl of pltff from order of Mr Justice Swinfen Eady, dated March 19, 1908 June 16

In re Lubbock, dec Lubbock v Lubbock appl of deft from judgt of Mr Justice Neville, dated March 27, 1908 June 16

In re Grimthorpe, dec Beckett v Grimthorpe appl of deft from order of Mr Justice Eve, dated Feb 18, 1908 June 17

Burgess v Booth and ors appl of pltff from order of Mr Justice Eve, dated May 18, 1908 June 18

In re Jolley, dec Duncombe v Sykes appl of deft from order of Mr Justice Eve, dated April 4, 1908 June 23

Wedgerfield v De Bernardy appl of pltff from order of Mr Justice Parker, dated April 1, 1908 (security ordered Aug 28) June 25

Adler v Deutsch, Schlesinger & Co appl of pltff from judgt of Mr Justice Warrington, dated May 29, 1908 June 30

The Butterley Co ld v The New Hucknall Colliery Co ld appl of defts from order of Mr Justice Neville, dated June 20, 1908 July 3

Philippart and anr v W Whiteley ld appl of pltffs from judgt of Mr Justice Parker, dated June 3, 1908 July 4 In the Matter of the Registered Trade Mark, No 274,557 of Gustave Phillipart and In the Matter of the Trade Marks Act, 1905 appl of respt from order of Mr Justice Parker, dated June 3, 1908 (security ordered, Sept 20) July 4

Clark v Crosland appl of pltff from order of Mr Justice Eve, dated May 30, 1908 July 8

Samuel and ors v Ofner and ors appl of deft R Ofner from order of Mr Justice Swinfen Eady, dated May 7, 1908 July 17

In re James Bruce, dec Lawford v Bruce appl of deft from order of Mr Justice Neville, dated April 2, 1908 July 21

The Right Hon Lewis Charles Paget Fitzhardinge v Purcell appl of deft from order of Mr Justice Parker, dated April 13, 1908 (produce order in 14 days—security ordered July 29) July 24

In re The Companies Acts, 1862 to 1900 and In re The International Securities Corpn ld appl of Company from order of Mr Justice Swinfen Eady, dated July 22, 1908 (produced order) July 25

Norton and ors v Norton and anr appl of Rev T Norton from order of Mr Justice Neville, dated July 6, 1908 (produce order) July 28

In re A F Fieldwick, dec Johnson v Adamson and ors appl of defts from order of Mr Justice Parker, dated June 4, 1908 (produce order) July 28

In re Hadley, dec Johnson v Hadley appl of deft from order of Mr Justice Parker, dated July 2, 1908 July 30

Farquhar v The Newbury Rural District Council appl of pltff from order of Mr Justice Warrington, dated July 16, 1908 July 30

In the Matter of The Companies Acts, 1862 to 1900, and In the Matter of The International Securities Corpn ld appl of Messrs Osborn & Osborn from order of Mr Justice Swinfen Eady, dated July 22, 1908 (produce order) July 30

Adair v The New River Co ld and The Metropolitan Water Board appl of defts The Metropolitan Water Board from order of Mr Justice Warrington, dated June 4, 1908 (produce order) July 31

Dalley v Dalley appl of pltff from order of Mr Justice Joyce, dated July 18, 1908 July 31

The British Ore Concentration Syndicate ld and Alexander Stanmore Elmore v The Minerals Separation ld appl of pltffs from order of Mr Justice Neville, dated July 18, 1908 July 31

Osborne v The Amalgamated Society of Railway Servants, &c, and ors appl of pltff from order of Mr Justice Neville, dated July 21, 1908 July 31

The Royal Insce Co ld v The Midland Insce Co ld appl of pltffs from order of Mr Justice Warrington, dated July 14, 1908 Aug 5

In the Matter of the Trusts of the University of London Medical Sciences Institute Fund Fowler v The Attorney-Gen appl of Attorney-Gen from order of Mr Justice Joyce, dated July 18, 1908 Aug 5

Liverpool & North Wales Steamship Co ld v Mersey Trading Co ld appl of pltffs from order of Mr Justice Neville, dated June 4, 1908, and cross-notice by defts, The Mersey Trading Co ld, dated Sept 1 (produce order) Aug 7

The Great Western Ry Co v The Carpalla United China Clay Co ld and Viscount Clifden appl of pltffs from judgt of Mr Justice Eve, dated July 14, 1908 Aug 7

Owen v Faversham Corpn appl of defts from judgt of Mr Justice Eve, dated June 23, 1908 August 7

Leng & Co ld v Andrews appl of deft from judgt of Mr Justice Eve, dated July 27, 1908 (produce order) August 10

The Attorney-Gen v The Great Northern Ry Co appl of defts from judgt of Mr Justice Neville, dated July 28, 1908 August 10

Claims Realization Co ld v Classen and anr appl of defts from order of Mr Justice Neville, dated June 24, 1908 (produce order) August 12

The Mayor, Aldermen and Councillors of the City of Westminster v The Rector and Churchwardens of the Parish of St George's, Hanover Square appl of defts from judgt of Mr Justice Warrington, dated July 31, 1908 August 12

The Northern Press & Engineering Co ld and anr v Shepherd appl of deft from judgt of Mr Justice Eve, dated July 29, 1908 August 19

In the Matter of the Companies' Acts, 1862 to 1907, and in the Matter of the Casualty Insce Co ld appl of Company and Creditors from order of Mr Justice Eve, dated August 19, 1908 August 21

Hassan v Hassan appl of pltff from order of Mr Justice Warrington, dated June 17, 1908 Sept 30

Chapman v Michaelson appl of deft from order of Mr Justice Eve, dated July 10, 1908 Oct 1

In re Maclean, &c. Borden v Borden appl of deft from order of Mr Justice Parker, dated July 30, 1908 Oct 5

FROM THE CHANCERY AND PROBATE AND DIVORCE DIVISION.

(Interlocutory List.)

1908.

Cliff v The British Natural Premium Life Assoc ld and ors appl of defts from order of Mr Justice Swinfen Eady, dated July 10, 1908 (produce order) July 28

Oetzmann and ors v The Shoreham and Lancing Land Co ld appl of pltffs, E J Oetzmann and A A H Hardwick from order of Mr Justice Eve, dated July 10, 1908 (produce order) July 28 Same v Same appl of pltffs, E J Oetzmann and A A H Hardwick from order of Mr Justice Eve, dated July 10, 1908 (produce order) July 28

In the Matter of The Calgary and Medicine Hat Land Co ld Pigeon v The Company and ors appl of deft Company from order of Mr Justice Joyce, dated July 14, 1908 August 1

Attorney-Gen and ors v Barry Ry and ors appl of pltffs from order of Mr Justice Swinfen Eady, dated July 29, 1908 (produce order) August 7

In re Bailey, dec Bailey and ors v Bailey and ors appl of F C Bostock, Trustee, from order of Mr Justice Joyce, dated July 30, 1908 August 12

In re The Elementary Education Acts, 1870 to 1873, and In re The Education Board Provisional Order Confirmation (London) Act, 1903, and In re The Lands Clauses Consolidation Act, 1845 appl of petnr Eliza Baxter from order of Mr Justice Joyce, dated July 14, 1908 August 13

Cavendish v Tarry appl of deft from order of Mr Justice Eve, dated August 12, 1908 August 27

FROM THE PROBATE AND DIVORCE DIVISION.

(General List.)

1908.

Divorce Harriman, Lily Isabel (petnr) v Harriman, William Vines (respt) appl of petnr *in formâ pauperis* by order, from judgt of Mr. Justice Bucknill, dated April 29, 1908 April 30

Probate In re Marianne Govett, dec Finney v Govett and ors appl of defts from order of Mr Justice Bargrave Deane, dated June 16, 1908 June 22

Divorce V S Gulbenkian v A Gulbenkian A Gulbenkian orse Kouyourndjian (petnr) v V S Gulbenkian (respt) appl of Vahan Sarkis Gulbenkian (applt) from judgt of The President, dated July 22, 1908 Aug 1

FROM THE COUNTY PALATINE COURT OF LANCASTER.

(Final List.)

1908.

In the Matter of the Trusts of the Share of Philip Behrens, dec, and in the Matter of the Trustee Act, 1893, and in the Matter of the Chancery of Lancaster Acts, 1850 to 1890 appl of W G Wilde (petnr) from judgt of The Vice-Chancellor of the County Palatine of Lancaster, dated March 30, 1908 May 22

In re Henry Hodge, dec Hodge v Hodge appl of pltff from judgt of The Vice-Chancellor of the County Palatine of Lancaster, dated May 18, 1908 June 22

(Interlocutory List.)

Bullivant v Trafford Park Dwellings ld appl of defts from order of The Vice-Chancellor of the County Palatine of Lancaster, dated June 20, 1908 July 17

HIGH COURT OF JUSTICE.

CHANCERY DIVISION.

MICHAELMAS SITTINGS, 1908.

NOTICES RELATING TO THE CHANCERY CAUSE LIST.

Motions, Petitions, and Short Causes will be taken on the days stated in the Michaelmas Sittings Paper.

Mr. Justice JOYCE.—Except when other business is advertised in the Daily Cause List, Actions with Witnesses will be taken daily throughout the Sittings.

Mr. Justice SWINFEN EADY.—Except when other business is advertised in the Daily Cause List, Mr. Justice Swinfen Eady will sit for the disposal of his Lordship's Witness List daily throughout the Sittings.

Mr. Justice WARRINGTON.—Except when other business is advertised in the Daily Cause List, Mr. Justice Warrington will take his business as announced in the Michaelmas Sittings Paper.

Mr. Justice NEVILLE will take his business as announced in the Michaelmas Sittings Paper.

Mr. Justice PARKER.—Except when other business is advertised in the Daily Cause List, Mr. Justice Parker will sit for the disposal of his Lordship's Witness List daily throughout the Sittings.

Mr. Justice EVE will take his business as announced in the Michaelmas Sittings Paper.

Liverpool and Manchester Business.—Mr. Justice EVE will take Liverpool and Manchester business on Saturdays, the 17th and 31st October, the 14th and 28th November, and the 12th December.

Summonses before the Judge in Chambers.—Mr. Justice WARRINGTON, Mr. Justice NEVILLE, and Mr. Justice EVE will sit in Court every Monday during the Sittings to hear Chamber Summonses

Summonses Adjourned into Court and Non-Witness Actions will be heard by Mr. Justice WARRINGTON, Mr. Justice NEVILLE, and Mr. Justice EVE.

NOTICE WITH REFERENCE TO THE CHANCERY WITNESS LISTS.

During the Michaelmas Sittings the judges will sit for the disposal of Witness Actions as follows :—

Mr. Justice JOYCE will take the Witness List for JOYCE and EVE, JJ.

Mr. Justice SWINFEN EADY will take the Witness List for SWINFEN EADY and NEVILLE, JJ.

Mr. Justice PARKER will take the Witness List for WARRINGTON and PARKER, JJ.

CHANCERY CAUSES FOR TRIAL OR HEARING.

Set down to October 3rd, 1908.

Before Mr. Justice JOYCE.

Retained.

Causes for Trial without Witnesses and Adjourned Summonses.
In re Taylor, dec Taylor v Taylor adjd sumns
In re Hayter Thompson v Hayter act
In re Parry & Williams' Contract and In re The Vendor and Purchaser Act, 1874 adjd sumns
In re Rickford's Settlement Heathcote v Rickford adjd sumns
In re Saul Norrie v Saul adjd sumns
In re Backhouse's Settlement Ecroyd v Backhouse adjd sumns
Ind, Coope & Co v Matthews act without pleadings
In re Herring Herring v Treloar adjd sumns

Causes for Trial (with Witnesses).
Harlech v Huntley act
In re R P Graham, dec Legge v Graham act
Goldman v Davis act
Jones v Jones act
Gruntwag & Morton v Bull act
In re James Jones, dec Smith v Jones act
In re Etty, dec Pierson v Smithson act
In re Friend, dec Ball v Friend act
Lister v Brookes ld act
In re Seago, dec Seago v Allerton act
Gowland v Monkhouse act
White v Hancock act
Lyon v Sampson act
Carnegie Steel Co v Bell Bros ld and another act (fixed for Nov 17)
Wormull v Wormull act
Locker-Lampson v Staveley Coal and Iron Co ld act
In re Carrick, dec Little v Carrick act
Sherwell v The Brit Transvaal and General Financial Co ld act
Mudge v Brit Imperial Assce Co ld act and counterclaim
In re J H Fryer, dec Fryer v Fryer act
Colet Estates ld v Davis act
Stone v The Dosthill Granite Quarry Co ld act
Brittain v Pease & Partners ld act
In re Isaac Fogg, dec Ridgway v Fogg act
Strand Wood Co ld v Gaul act
Adcock v Parson act
Walter Lancaster & Co v Shaw & Leathley act
Harry Peck & Co ld v Wright, Delort & Co act and counterclaim
Lister & Co v Lister act
In re An Indenture of Settlement dated August 8, 1903 Robinson v Hobbs act
Parsons v August act
In re G Mann & Co Doubleday v The Company act
Flower & Sons ld v Pritchard act, counterclaim, and m f j
Free Wallpaper Co v Waller act
In re Abbott Shead v Abbott act
Wiseman v Patz act
Morgan v Griffiths act
Leatheries ld v Lycett Saddle and Motor Co act
Jack v John Barker & Co act
Reid v Bickerstaff act
Tull v Stevenson act
Wertheim v Lord act
Thomas v British Equitable Assce act and counterclaim
Cuthbert v Robarts, Lubbock & Co act
Liscombe v Waterlow Bros & Layton ld act
Thomas v Thomas act and counterclaim
Brunner, Mond & Co v Stuart act
Hulbert v Dale act
Glyn v Howell act
Picture Press ld v Ross act
Purnell v Wood act
Vavasour v Archbishop of Canterbury act
Miller v Miller act
Edmundson's Electricity Corpn v Pinching & Walton act
In re G E Taylor's Registered Design, No. 497,805, and In re The Patents, Designs and Trade Marks Acts, 1883 to 1902 m
Weston v Beaufort Finance Co act
Moore v Skinner act
Same v Same act
Coats v Hertfordshire County Council act
Bank of Africa ld v Cohen act and counterclaim
Ayerst v Margetson act
Barton v Jeffs act
Gray v Gray act
Salisbury Jones v Garnett, Wardell & Westcott act
Cunningham v Atchley act
In re Cunningham Cunningham v Cunningham act
Horlick v Bottomley act and counterclaim
Jönköpings och Vulcans Tandsticksfabriks Aktiebolag v Pink act
Paine v Russell act and counterclaim
De Dion-Bouton (1907) ld v Charles Muskett act
Lady Hood of Avalon v Mackinnon and others action
White v Belsham act
Bernard v Bernard act
Corser v Underwood act
Westlake v Cox act
Parrish v Mexico Tramways ld and others act
Bonas v Vryheid (Natal) Ry, Coal and Iron Co ld act and counterclaim
In re Bobbett, dec Lewington v Robbett act

Before Mr. Justice SWINFEN EADY.

Retained by order.
Chancery Division.
Motion.
In re Oates Beal v Burtonshaw

Causes for Trial without Witnesses and Adjourned Summonses.
Wagstaff v Mayor, &c. of City of London adjd sumns
In re Winfield Pegg v Winfield adjd sumns
In re Bond West v Pemberton act without pleadings
In re Hardy Hardy v Hardy adjd sumns
In re Bowes, dec Society for the Propagation of the Gospel in Foreign Parts v Bates adjd sumns

Companies (Winding Up).
Court Summonses.
Dover Coalfields Extension ld (on Cousins & Fourdert's claims—pt hd)
Same (misfeasance—with witnesses)
Causes for Trial (with Witnesses).
Staunton v Hampshire Light Railways (Electric) Co act
Woodbridge v Harvie act
In re Foster, dec Foster v Pullin act and m f j
In re The Cos'. Acts, 1862 to 1900, and In re the matter of The De Dion-Bouton (1907) Co ld m of F G Bowen
In re Same and Same m of Tweedy to rectify register
Nash v Summers act and m f j
In re Hannah Crowe, dec Sawyer v Crowe act
The Trustee of the Property of Edward Hore, a bankrupt v Hore act
The Johnson Lundell Electric Traction Co ld v Raworth's Traction Patents ld act
Same v Birmingham Midland Tramways ld act
Evans v Warlow act
Seal v Camplin & Sons act
Gwyther v Hoskin's Trustees act
Bovill v Head act
Young v Shipley act
Cook v Fleming & Co, Bermondsey ld act
Bray v Weiss & Biheller act
Hickton's Patent Syndicate v The Patents and Machine Improvement Co ld act and m f j
Paquin ld v Belloni act
The Leicestershire & Warwickshire Electrical Power Co ld v Johnson act and counterclaim
Attorney-Gen v Mayor &c of Plymouth act
Russell v Moore act
Fenwick v Talbot act
Cole v Morgan act
In re Murray, dec Murray v Murray act
Davies v Davies Patent Boiler ld act
Mercer's Trustees v Sutton act
Taylor v Whitbread & Co act
In re Robinson's Trusts Block v Harratt act
Watts v Callard act and counterclaim
Beames v Benson act and counterclaim
In re Mavins, dec Mavins v Mavins act
Foat v Metropolitan Rv Co act
In re Campbell, dec Campbell v Corbet act
Marriott v East Grinstead Gas and Water Co act
Bird v Upjohn act
Laing v Barclay & Co act
Probyn v Probyn act
In re Gillott Mitchell v Gillott act and m f j
Bennett v Enever act
Hooley v Wigley act and counterclaim
Norton v Fox act
Everett v Fuelling act
George v Gregory act and counterclaim
Laing v Laing Steamship Co act
Carney v Lee act
Cliff anr v British National Premium Life Assce ld and ors act
De Dion-Bouton (1907) ld v Poulton act
Finch v Willis act
Padmore v Royce act
Saccharin Corpn ld v White act

Before Mr. Justice WARRINGTON.
Retained Causes for Trial (with Witnesses).
Appleby v Lord St Oswald act fixed for Nov. 10, subject to anything pt hd)
Hormuth v Merino act

In re A Fountaine, dec In re F E Dowler, dec Fountaine v Amherst and ors act and counterclaim
Hunter v Hunter act
Harris v Ellis act
Wilson v Bawtree act

Further Considerations.

Pennsylvania Rubber Co v W M Howison fur con (to come on with No. 5 adjd sumns)
In re Rose, dec Hutchinson (spinster) v Rose (widow) fur con
In re Beales, dec Schooles v Cook fur con

Causes for Trial without Witnesses and Adjourned Summonses.

In re John Sewell, dec White v Sewell adjd sumns
Attorney-Gen (on relation, &c) v Hippodrome (Sheffield) ld adjd sumns
In re Whitehead, dec Bishop of Wakefield v Attorney-Gen adjd sumns
In re Arnold's Estate Thornton v Williamson and ors adjd sumns
Pennsylvania Rubber Co v Howison sumns to vary to come on with fur con No. 1)
In re Samuel Reynolds, dec Symes v Reynolds adjd sumns
In re The Estate of E D M Harrington, dec Wilder v Turner adjd sumns Same v Same adjd sumns
In re J Stokes, dec Stokes v Stokes adjd sumns
In re Backhouse's Will Trusts Findlay v Backhouse adjd sumns
In re Crease's Marriage Settlement Domvile v Crease adjd sumns
In re Evans's Estate Leaver v Butler adjd sumns
In re Thomson Green v Thomson adjd sumns
In re The Estate of E. Hill, dec Hill v Hill adjd sumns
In re Steinkoppf, dec Favorke v Mackenzie adjd sumns
In re H White, dec White v White adjd sumns
In re Sir F Wigan, dec Wigan v Wigan adjd sumns
In re Maclean, dec Maclean v Francis adjd sumns
In re Morgan, dec Morgan v Morgan adjd sumns
In re Scaisbrick's Settlement Chambres v Scaisbrick adjd sumns
In re Lord Egmont's Settled Estate and In re Settled Land Acts, 1882 to 1890 adjd sumns
In the Matter of an Application, No. 294,696, of The National Starch Co and In the Matter of the Trade Marks Act, 1905, motion for registration of the word "Oswego" as a Trade Mark
In re Jacobs' Will Trusts (expte Met Board of Works) account of James Baldwin and anr, Baldwin v Pescott adjd sumns
Briggs v Rhondda Urban District Council adjd sumns
In re Vavasour, dec Vasasour v Vavasour adjd sumns
Haynes v Nicholls and anr action
In re Williams, dec James v Williams adjd sumns
In re Denton's Estate Bere v Baker adjd sumns
In re Worrall, dec Miles v Worrall adjd sumns
In re The Estate of Amelia Finlayson Rose v Wynn adjd sumns
In re Bailey-Tuckey, dec Tuckey v Stoner adjd sumns
In re Colston, dec Nye v Lovett adjd sumns
In re A J C Hare, dec Leycester-Penrhyn v Leycester-Penrhyn adjd sumns
In re The Countess Marie Cecile In re de Sommery, dec Coeleubier v de Sommery adjd sumns
Palmer v The Absolute Life Assce Co ld adjd sumns
In re the Trusts of Will and Codicil of W B Naish, dec Hooper v Broderip adjd sumns
In re Wormald's Settled Estates Wormald v Ollivant adjd sumns
In re W R Lane, dec Isacke v Lane adjd sumns

Before Mr. Justice NEVILLE.

Retained by Order.

Causes for Trial (with Witnesses)
James v Briggs act (fixed for Oct 14)
Holliday v Edinburgh Life Assce act
Phillips v Baron act
Homer v Clulow act and motn for judgt
Viscount Cobham v Staffordshire County Council act

Causes for Trial without Witnesses and Adjourned Summonses.

O'Reilly v Bonney adjd sumns (to come on with fur con)
In re Lamplough, dec Hasland v Lamplough adjd sumns
In re Lady Tierney, dec Graham v Farrer adjd sumns
In re Bagnall's Trusts Bury v Moxon adjd sumns
In re Simpson, dec Todd v McCaie adjd sumns
Heimpel v Puddephatt adjd sumns
Waterman v Franklin motn for judgt
In re Metcalf Metcalf v Shaw adjd sumns
In re G Napier & Sons ld Johns v Napier adjd sumns
In re Ross, dec Wingfield & Blew v Blair adjd sumns
Wingfield v Blair adjd sumns
In re Nelson Clark v Dobbin adjd sumns
In re Morgan, dec Morgan v Thorburn adjd sumns
In re Williamson Harland v Hartland adjd sumns
In re Maton, dec Maton v Maton adjd sumns
In re Pash, dec Burt v Pash adjd sumns
Expte Governors of St. Thomas' Hospital Expte His Majesty's Secretary for War In re the Defence Acts adjd sumns
In re Pinchbeck, dec In re Sparham, dec Richards v Andrews adjd sumns
In re Howard, dec Oakley v Aldridge adjd sumns
Hutchings v Baker adjd sumns
Stourbridge Urban District Council v Butler & Grove adjd sumns
Same v Hingley adjd sumns
In re Phillips, dec Phillips v Phillips adjd sumns
In re Richardson & Huddersfield Corpn Contract In re the Vendor & Purchaser Act, 1874 adjd sumns
In re Ellis & Ellis, Solrs, &c adjd sumns
In re Crawshay Bros Jones v Crawshay Bros adjd sumns (restored)
In re Dunster, dec Brown v Heywood adjd sumns
In re Wilson, dec Wilson v Wilson adjd sumns
In re James Stephen, dec Stephen v Stephen adjd sumns
In re Kelly Nelson v Fell adjd sumns
In re W Lavers, dec Matthews v British and Foreign Bible Soc adjd sumns
In re Pike, dec In re Amos, dec McMichael v Blackden adjd sumns
In re Stevens, dec Stevens v Stevens adjd sumns
Sharp v Rickards adjd sumns
West of England China Stone and Clay Co v Grose adjd sumns
Whitehead v Tuson adjd sumns
In re Wilbraham Guye v Harding adjd sumns
In re Hoyland Bewley-Smith v Suckling adjd sumns
In re Mander's Trusts Mander v Felkin adjd sumns
London and Westminster Bank ld v Mann adjd sumns
In re Mainwaring North v Salaman adjd sumns
In re A P Morris, dec Morris v White adjd sumns
In re Manchester and Milford and Great Western Ry Cos adjd sumns
In re C E A Smith, dec Coombs v Smith adjd sumns
In re Farnsworth, dec Farnsworth v Pinchback adjd sumns
In re W Edwards, dec In re S Edwards, dec Grundy v Edwards adjd sumns
In re Henv Hardman, dec Hardman v Thorne adjd sumns
In re S E Kensit, dec and In re The Trustee Act adjd sumns
In re Steegmann, dec Steegmann v Steegmann adjd sumns
In re Roberts, dec Webster v Walker adjd sumns
In re Lander, dec Young v Cathcart adjd sumns
In re Willoughby's Settlement Inskip v Willoughby adjd sumns
In re B Foster, dec In re F W Foster, dec Sutcliffe v Whitley adjd sumns
In re Whitting, dec Whitting v Whitting adjd sumns
In re Watkins Watkins v Watkins adjd sumns
In re Kearns, dec Kearns v Nicholls adjd sumns
In re M Evans, dec. Trattle v Evans adjd sumns
In re Lewis and the Ely Brewery Co and In re The Vendor and Purchaser Act, 1874 adjd sumns
In re Arathoon's Estate Dunderdale v Arathoon adjd sumns
In re Coldwell's Estate Senior v Cragg adjd sumns
In re Isaac's Trusts and In re The Trustee Act, 1893 adjd sumns
In re Brunning's Estate Gammon v Dale adjd sumns
In re Ogilvie, dec Hance v Baker adjd sumns
In re R E Fieldhouse, a Solr adjd sumns
In re Hawkins, dec Greenwood v Helsham-Jones adjd sumns
In re Wagstaff's Estate and In re The Settled Land Acts adjd sumns.
In re Dunstan Dunstan v Dunstan adjd sumns
In re Cove, dec Royal London Ophthalmic Hospital v Smith adjd sumns
In re Perkins, dec Fenwick v Burrell adjd sumns
In re Murray-Baillie Braithwaite v Murray-Baillie adjd sumns
In re G Latham, dec Latham v Mann adjd sumns (with witnesses)
In re Routledge's Settlement Routledge v Saul adjd sumns

Further Consideration.

Rotch v Crosbie fur con and adjd sumns

Companies (Winding up) and Chancery Division.

Companies (Winding up).

Petitions.

Lewis & Allenby ld (petn of Frères Passavant)
Joseph Woods Ropeworks ld (petn of Walter Hindley & Co ld)
Chida (Wassau) Mines ld (petn of J Clark)
Hope Clip Co ld (petn of Gordon Hotels ld)
New Motor and General Rubber Co ld (petn of Fred Stern & Co—Liverpool District Registry)
Argylls (London) ld (petn of The Bank of Scotland)
New Brighton Mines ld (petn. of C S Williamson and ors)
Weigel Motors (1907) ld (petn of Campbell-Gray ld)
Lombard Steam Ship Co ld (petn of The National Bank of Australasia ld)
Domains Co ld (petn of E E S K Schlesinger)
Cooper Cooper & Co (1901) ld (petn of J F Kempson and anr)
Polishes ld (petn of A Grumbar & Son)
Leopold ld (petn of Vaughan & Cook ld)
Piccadilly Hotel ld (petn of B Cohen & Sons ld)
Same (petn of Maple & Co ld)
Mining Exploration Co ld (petn of James & Alex Brown)
Maidstone Palace of Varieties ld (petn of The Electric Light Power and Hiring Co ld)
Kelletts ld (petn of The Saxon Portland Cement Co ld)
Piccadilly Hotel ld (petn of The E M F Manufacturing Co)
British Liquid Air Co ld (petn of The British Oxygen Co ld)
Bethel Diamond Mines ld (petn of R Hartley, M.D.)
A Martin Newcombe ld (petn of W E Newcombe and anr)
Brighton Alhambra ld (petn of R W McKergow and ors)
Homelight Oil Co ld (petn of The Petroleum Industrial and Training Co)
North Kent Golf Club ld (petn of Maple & Co ld)

Chancery Division.

Petition (for Reduction of Capital) under Companies Acts, 1867 and 1877

Portsmouth and District Vacuum Cleaner Co ld and reduced
New Eastern Investment Co ld and reduced

Petition under Companies (Memorandum of Association) Act, 1890.
Planters' Stores and Agency Co ld

Companies (Winding up).
Motions.
Mayfair Printing and Publishing Co ld (for leave to issue writ of attachment—ordered to stand over generally on April 3, 1906)
British Building Stone Co ld (to discharge order of May 29, 1908—on July 7, 1908, ordered to stand over until after award in arbitration proceedings)

Companies (Winding up) and Chancery Division.
Court Summonses.
Syria Ottoman Ry Co ld (as to proofs of debt of W Parker—ordered to stand over generally on Jan 11, 1906, to be tried with certain actions)
New De Kaap ld (for removal of Liquidator—with witnesses—ordered to stand over sine die on June 17, 1908—on July 23, 1908 restored to paper for hearing)
Dover Coalfields Extension ld (on Cousin's claim)
Same (on Fourobert's claim)
Same (misfeasance — with witnesses)
Otto Patent Brake Co. ld (on Basden's claim)
Ottos Kopje Diamond Mines (1903) ld (as to title to calls)
National Society of Qualified Accountants (to vary list of contributories—Smith's case)
Tribune ld (on John's claim—with witnesses)
Rapid Road Transit Co ld (for delivery up of documents)
British Power Traction and Lighting Co ld Halifax Joint Stock Banking Co ld v British Power Traction and Lighting Co ld and anr (to vary certificate as to debts)
W R Renshaw & Co ld (as to registration of transfer of debentures)
John Mardon ld Mardon v John Mardon ld and ors (as to priorities of debentures
Granville Club Syndicate ld R Waygood & Co ld v Granville Club Syndicate ld and ors (on claim for rent)

Before Mr. Justice PARKER.
Retained by Order.
Adjourned Summonses
In re Selby-Lowndes' Settled Trusts Selby-Lowndes v Selby-Lowndes adjd sumns pt hd
In re F W D Manuelle, dec Brown v Manuelle adjd sumns
In re W Watkins, dec Drew v Vaughan adjd sumns
In re J Silvester, dec Richardson v Jones adjd sumns
In re Digby, dec Digby v Buddicum adjd sumns

Petition.
In re Digby's Settled Estate In re Hodge's Settled Estate (to be heard with No. 5, adjd sumns)

Causes for Trial (with Witnesses).
The Bakers' Automatic Combination Thread Winder and Shuttle Filler Co Proprietary ld v H M Spratts and ors act
Mendelssohn v Traies & Son act (s o pending settlement)
Vanden Bergh and Sir J H Morris v London Central Markets Cold Store Co ld act
Farbon v Newman & Walbey act
The British United Shoe Machinery Co ld and anr v Simon Collier Co ld act
Gates v Holman act Same v Same act
Ross v Sartorius act (transferred from K B Division, by order)
The Traction Corpn ld and Robert Brown v Samuel Green Bennett act
Shardlow v Simpson act
In re William Alderson, dec Alderson and anr v Batty act
Trigg v Martin and ors act
Norris v Minto act
Roberts v Davis act
The Ore Concentration Co (1905) ld v Westers and ors act (transferred from K B Division, by order)
Roberts v Wheeldon act
In re The Estate of S J Gee, dec Daisley and ors v Gee and ors act
Coe and anr v Phillips act
Elliott v Elliott act
Everett v Bushell act
Blathwayt v Hawkins act
Duke of Portland v Butterley Co ld act Butterley Co ld v Duke of Portland by counterclaim
In re Steer's Trusts Miller and anr v Miller act
Loup and anr v A McArthur & Co act
Patent Conveyor Co ld v Fielden & Co act
Vernon and anr v Hossack act
In re Benjamin Laming, dec Stewart Smith v Laming and anr act
Wigan v English and Scottish Law Life Assce Assoc act
In re Davies, dec Davis v Davis and anr act (restored)
Causton and ors v Rider and ors act and counterclaim (s o for a month after report)
Decies v Nicholson act
Canev v V G Wedekind act
The Urban District Council of Knottingley v Worfolk act
Davidson v Alldays and Onions Pneumatic Engineering Co ld act
In re Mackintosh's Trusts Mackintosh v Rawson act and m f j
Jackson and anr v W Hancock & Co ld action
Morgan v Nolan act
Roussel v Burnham and ors act
In the Matter of Ralston's Patent, No. 13,444 of 1896 and In the Matter of the Patents and Designs Act, 1907 petition for revocation In the Matter of Preston & Ralston's Patent, No. 7,970 of 1903 and In re Same petition for revocation
Stevenson v Cox action
Stacey v The Uxbridge Rural District Council act
Slater, Rodgers & Co ld v H Stodart & Co act
Jones v Barker and ors interpleader issue for trial (by order)
In re E B Dive, dec Dive v Roebuck act and sumns (by order)
Von der Linde v Brummerstaedt & Co and ors act
The Capital and Counties Bank ld v Richards and ors act and m f j
Weston v The Beaufort Finance Co ld act
Saunders v Hodgson act
Williams v Rodgers act
Linotype Co ld and anr v Mergenthaler Linotype Co act In the Matter of The Trade Mark, No. 96,653, in Class 6, and No. 99,605, in Class 13, and In the Matter of The Trade Marks Acts, 1883 to 1888 m to expunge
Shaw and ors v Cates and ors act
Faulkner v Parks & Weldon act
In re R F W Molesworth, dec Molesworth v Molesworth and ors act
Leigh v Beauchamp act
Winterflood v Ewart & Son ld act and counterclaim
Dent v Mansions Consolidated ld act
Yerbury v Kirkwood act
In re Vanity Fair ld Clinton v The Co Act (without pleadings)
Harris v Clinton act (without pleadings)
Attorney-Gen v Midland Ry Co act
Wallsend and Hebburn Coal Co v Askew act

Before Mr. Justice EVE.
Retained Witness Action.
Whitmores (Edenbridge) ld v Stanford

Causes for Trial without Witnesses and Adjourned Summonses.
In re Clara Smedley, dec Godfrey v Durnford adjd sumns
In re Whitchurch Vigne v George adjd sumns
In re Maynard, dec Hancock v Herring adjd sumns
In re Watts' Settlement Lega v Kitchener adjd sumns
In re Johnson, dec In re Watt Middleditch v Christopher adjd sumns
In re Bagnall Bagnall v Willson adjd sumns
In re Riches, dec Parker v Peat adjd sumns
Attorney-Gen v Birmingham, etc District Drainage Board adjd sumns
Same v Same adjd sumns
In re Ansell Ansell v Tallerman adjd sumns
Hughes v Britannia Permanent Benefit Building Soc adjd sumns
Same v Same adjd sumns
Frederick v Bognor Water Co special case
In re Daniels, dec Felkin v Elliott adjd sumns
In re Same Same v Same adjd sumns
In re Twyman's Will Trusts Twyman v Twyman adjd sumns
In re Oxenden Oxenden v Phipson adjd sumns
In re Way and the London United Tramways ld and In re the Vendor and Purchaser Act, 1874 adjd sumns
In re Eliza Cooper, dec Kerslake v Walters adjd sumns
In re G Campbell, dec Matheson v Campbell adjd sumns
Bastard v Horton adjd sumns
Everett v Nash adjd sumns
Bonner v Walker adjd sumns
In re Sichel, dec Hartley v Joiret adjd sumns
In re Hunter, dec Northey v Northey adjd sumns
In re Blakey Pulleyn v Davison adjd sumns
Anderton v Joy adjd sumns
In re Field, dec Field v White adjd sumns
In re Peek, dec Saxton v Peek adjd sumns
In re Dodd's Trusts Dodd v Dodd adjd sumns
In re Mapp, dec Williams v Parish adjd sumns
In re Trafford's Settlement Martin v Wace adjd sumns
In re J M Burd, dec Schröder v Burd adjd sumns
In re Lindo, dec Asken v Ferguson adjd sumns
In re Jackson Taunton v Jackson adjd sumns
In re Same Same v Same adjd sumns
In re Bergel's Trusts Pears v Bergel adjd sumns
Reynold v Lord Ilchester adjd sumns
In re Pearse's Settlement Pearse v Pearse adjd sumns
Moore v Cowen adjd sumns
In re Hunt Hepburn v Hepburn adjd sumns
In re Reuben Gaunt, dec Eddison v Gaunt adjd sumns
In re Atkin's Trusts Smith v Atkin adjd sumns
In re Leggatts & Carruthers, Solrs adjd sumns
In re Monighetti and The Wandsworth Borough Council and In re The Vendor and Purchaser Act, 1874 adjd sumns
In re Thomas Stephens, dec Johnston v Winbush adjd sumns
In re Parkinson Moger v Parkinson adjd sumns
Waddell v Waddell adjd sumns
Same v Same adjd sumns
Robertson v Crook adjd sumns
In re Hodson, dec Northcote v Bindley adjd sumns
In re Ogilvie, dec Royal Exchange Assurance v Massie adjd sumns
In re Bowes Bowes v Bowes adjd sumns
In re Child Philip v Child adjd sumns
In re Crofton, infants adjd sumns
Kirchner v Gruban adjd sumns
In re W P Smith Ommanney v Kelly adjd sumns
In re Robinson Stevens v Robinson adid sumns
In re Glover, dec Ginders v Wright adjd sumns
In re Jennings' Settlement Pritchard v Watkins adjd sumns
In re Landon Teape, dec Mumford v Landon adjd sumns
Parrish v Mexico Electric Tramways Co adjd sumns
In re T Brooks, dec Ward v Brooks adjd sumns
In re Archer's Trusts Ingle v Hanbury adjd sumns
In re Parker's Estate Howell v Popkin adjd sumns
In re Sidney, dec Sidney v Sidney adjd sumns
Clement Talbot ld v Wilson adjd sumns

Further Considerations.
In re A Hughes, dec In re T D Weaver, dec Walker v Shenstone fur con
In re Joseph Horwood, dec Horwood v Lomas fur con
Killbourn v Killbourn fur con

The Property Mart.

Forthcoming Auction Sales.

Oct. 13.—Messrs. Debenham, Tewson & Co, at the Mart, at 2: Freehold Property (see advertisement, back page, Oct. 3).

Oct. 15.—Messrs. H. E. Foster & Cranfield, at the Mart, at 2: Reversion, Absolute Reversions, and Policies of Assurance (see advertisement, back page, this week).

Oct. 15.—Messrs. Chesterton & Sons, at the Mart, at 2: Freehold Residence (see advertisement, back page, Oct. 3).

Oct. 21.—Messrs. Edwin Fox & Bousfield, at the Mart, at 2: Freehold Building Sites (see advertisement, back page, this week).

Oct. 27.—Messrs. Hampton & Sons, at the Mart: Freehold (see advertisement, back page, Oct. 3).

Oct. 28.—Messrs. Douglas Young & Co., at the Mart, at 2: Freehold Ground-Rents and Freehold Properties (see advertisement, back page, this week).

Winding-up Notices.

London Gazette.—Friday, Oct. 2.

JOINT STOCK COMPANIES.

Limited in Chancery.

A. Martin Newcombe, Limited—Petn for winding up, presented Sept 22, directed to be heard Oct. 13. Clarkson, Gresham st, solor for petners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12

Albion (Transvaal) Gold Mines, Limited—Petn for winding up, presented Oct 1, directed to be heard Oct 13. Flux & Co, East India av, solors for the petner. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12

Argylls, London, Limited—Petn for winding up, presented Aug 11, directed to be heard Oct 13. Stephenson Co, Lombard st, solors for the petner. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12

Bethel Diamond Mines, Limited.—Petn for winding up, presented Sept 23, directed to be heard Oct 13 Halse & Co, Cheapside, solors for the petner Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12

Brighton Alhambra, Limited—Petn for winding up, presented Sept 23, directed to be heard Oct 13. Adkin, Suffolk House, Laurence Pountney hill, for Nye & Clewer, Brighton, solors for the petners. Notice of app earing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12

British Liquid Air Co, Limited—Petn for winding up, presented Sept 18, directed to be heard before Mr Justice Neville, Oct 13. Sharp & Benest, Watling st, solors for the petners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12

British United Assurance Corporation, Limited—Petn for winding up, directed to be heard on Sept 30, was adjourned by the Court, and will be heard Oct 13. Whites & Co, Budge-row, for Emerson, Norwich, solor for the petner. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12

Commercial Bank of India, Limited (in Liquidation)—Creditors are required, on or before Oct 31, to send their names and addresses, and the particulars of their debts or claims, to Gordon Nelson, 5/1, Fairlie pl, Calcutta, liquidator

Dixon & Pilling, Limited—Creditors are required, on or before Oct 31, to send their names and addresses, and the particulars of their debts or claims, to Henry Frederick Hartman, City chmbrs, Darley st, Bradford Simpson & Co, Leeds, solors for the liquidator

F. C. Southwell & Co, Limited—Creditors are required, on or before Nov 15, to send their names and addresses, and the particulars of their debts or claims, to William John Peter, 22, Basinghall st Robinson & Stannard, Eastcheap, solors for the liquidator

Humber Engineering Co, Limited—Creditors are required, on or before Oct 31, to send their names and addresses, and the particulars of their debts or claims, to Stephen Macfarlane Forrester, 1, Town Hall st, Grimsby Bates & Mountain, solors for the liquidator

J. M. Borkbinder, Limited—Petn for winding up, presented Sept 29, directed to be heard Oct 13 Vandercom & Co, Bush ln, London, solors for the petners Notice of appearing must reach the above named not later than 6 o'clock in the afternoon of Oct 12

John Moore & Co, Limited—Creditors are required, on or before Oct 10, to send their names and addresses, and the particulars of their debts or claims, to Thomas Eyton, County chmbrs, Westgate rd, Newcastle upon Tyne, liquidator

Lines & Co, Limited (in Liquidation)—Creditors are required, on or before Oct 21, to send in their names and addresses, and particulars of their debts or claims to Frederick Ellen, 13, Market sq, Northampton, liquidator

Maidstone Palace of Varieties, Limited—Petn for winding up, presented Sept 14, directed to be heard Oct 13 Duckers, 27, Chancery ln, solor Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12

Piccadilly Hotel, Limited—Petn for winding up, presented Sept 10, directed to be heard Oct 13 Lumley & Lumley, Conduit st, solors for the petners Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12

P. R. Syndicate, Limited—Creditors are required, on or before Nov 4, to send their names and addresses, and particulars of their debts or claims, to George Stanhope Pitt, 140, Leadenhall st, liquidator

Weigel Motors (1907), Limited—Petn for winding up, presented Aug 17, directed to be heard Oct 13 Brown & Co, Pancras ln, solors for the petners Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 12.

Willingsworth Iron Co, Limited—Creditors are required, on or before Nov 9, to send their names and addresses, and the particulars of their debts or claims, to Robert Muras, Gresham chmbrs, Lichfield st, Wolverhampton Buller & Cross, Birmingham and Shakespeare & Co, Birmingham, solors to the liquidator

Yarmouth Motors, Limited—Creditors are required, on or before Oct 31, to send their names and addresses, and the particulars of their debts or claims, to Harry Oscar Bennett, 29, Castle meadow, Norwich, liquidator

London Gazette.—Tuesday, Oct. 6.

JOINT STOCK COMPANIES.

Limited in Chancery.

Commercial Bank of India, Limited (in Liquidation)—Creditors are required, on or before Oct 31, to send their names and addresses, and the particulars of their debts or claims, to Gordon Nelson, 5/1, Fairlie pl, Calcutta, liquidator

Perkins, Limited—Creditors are required, on or before Oct 17, to send in their names and addresses, and the particulars of their debts or claims, to Louis Adrian Vesey, 21, King st, Warrington, liquidator

United Mercury Mines of Granada, Limited—Creditors are required, on or before Nov 5, to send their names and addresses, and the particulars of their debts or claims, to Adrian Owen Stokes, 10, Bedford row, liquidator

Creditors' Notices

Under 22 & 23 Vict. cap. 35.

Last Day of Claim.

London Gazette.—Friday, Oct 2.

Aschenberg, Eugene, Priory rd, West Hampstead, Music Publisher Nov 16 Montagu & Co, Bucklersbury

Bailey, William, Penzance, Surveyor Nov 16 Thomas, Camborne

Bartlett, Joseph Foster, Algoma, Canada Nov 7 Bartlett, Bush ln

Boddington, William Tarbox, Wolstanton, Staffs Oct 29 Hollinshead, Tunstall

Buckenham, John, Cambridge, Surgeon Nov 1 Symonds, Cambridge

Cadogan, Emma, Cheltenham Oct 31 Rickaby, Cheltenham

Chevallier, Isabella Jane, Kew Oct 31 Holt & Co, Lincoln's inn fields

Clark, Henry James, Foots Cray, Kent, Coachbuilder Nov 7 Bartlett, Bush ln

Cooper, Mark, Cambridge, Stonemason Nov 9 Miller, Cambridge

Copeland, Frederick Manning, Windsor, Butcher Nov 11 Goodacre & Co, Bush ln

Curris, Jane Mary, Ladbroke cres, Notting Hill Dec 31 Bell & Co, Queen Victoria st

Davey, Edward, Leeds Nov 9 Harland & Ingham, Leeds

Davies, John, Garth, Brecon Oct 26 Vaughan, Builth Wells

Dawe, Ernest Nanscawen, Beckenham Nov 16 Odhams, Ladgate hill

Evans, Edward Lloyd Malcolm, Bournemouth Nov 3 Cottrell & Son, Birmingham

Evans, Owen, Pandy Isaf, Trefriw, Carnarvon Nov 4 Griffith & Allard, Llanrwst

Furness, Matthew Robson, Peri, Engineer Nov 3 Headry, Newcastle on Tyne

Knipe, Jane, Great Malvern, Worcester Nov 14 Sutton & Co, Manchester

Ludlam, John, Ashton under Lyne Nov 11 Cryer, Ashton under Lyne

Mott, Henry Isaac, Eastern rd, East Finchley Nov 14 Oliver & Nutt, Coleman st

Munday, Joseph, Chobham, Surrey Nov 21 Paine & Co, Chertsey

Oakden, John, Marston, Montgomery, Derby, Farmer Nov 1 Clifford & Clifford's, Derby

Park, William Bashall, Withnell, Lancs Oct 24 Carter & Crellin, Blackburn

Parry, Rev John, Bettws Garmon, nr Carnarvon Nov 10 Johnson & Co, Birmingham

Phillips, Susannah, Banbury, Oxford Nov 9 Fairfax, Banbury

Pickard, Elizabeth, Torquay Oct 31 Hamlyn, Torquay

Pickard, Job, Torquay, Farmer Oct 31 Hamlyn, Torquay

Reeves, John, Newcastle under Lyme, Staffs Nov 2 Till, Newcastle, Staffs

Richards, Samuel Atkinson, West hill, Putney, Surgeon Nov 14 Cobbing, Lambert rd, Brixton hill

Robinson, Charles, Pannal, Yorks Nov 3 Wright & Co, Bradford

Rogers, John, Foots Cray, Kent, Gardener Nov 7 Bartlett, Bush ln

Rushforth, Sarah, Horsford rd, Brixton hill Nov 3 Clifton, New ct, Lincoln's inn

Scholfield, Helena, Limehurst, Ashton under Lyne, Lancs Nov 11 Cryer, Ashton under Lyne

Sharland, Mary, Eccleston rd, West Ealing Nov 11 Hinson, Thurloe pl, South Kensington

Smith, John William, Sale, Chester Nov 4 Lambert & Smith, Manchester

Stone, Dalton, Harlington, Middlesex Nov 7 Bartlett, Bush ln

Walker, Isaac, Sheffield, Draper Nov 7 Smith & Co, Sheffield

Warris, Rev Albert, Stourwood, Bournemouth Nov 1 Earle, Hereford

Watson, Joseph William, Bradford, Jeweller Nov 1 Crabtree, Bradford

White, William, Brighton Nov 11 Stuckey & Co, Brighton

Wilson, William, Gibson sq, Upper st, Islington Nov 7 Bartlett, Bush ln

Bankruptcy Notices.

London Gazette.—Friday, Oct. 2.

RECEIVING ORDERS.

Adams, Daniel, Merthyr, Tydfil, Colliery Watercourses Repairer Merthyr Tydfil Pet Sept 30 Ord Sept 30

Almey, Arthur, Middlesbrough, Coal Dealer Middlesbrough Pet Sept 28 Ord Sept 28

Arnold, T, & Co, Wool Exchange, Coleman st, Stock Dealers High Court Pet Sept 2 Ord Sept 28

Barton & Harvey, College Green, Bristol, Home Merchants Bristol Pet Sept 19 Ord Sept 29

Blank, Joseph, Ilkeston, Builder Derby Pet Sept 10 Ord Sept 28

Brain, Charles, Aberdare, Glam, Collier Aberdare Pet Sept 28 Ord Sept 28

Britz & Rosin, Fleurdelis, Pengam, Mon, Boot Dealers Tredegar Pet Sept 5 Ord Sept 28

Cholerton, Samuel Robert, Poulton le Fylde, Lancs Preston Pet Sept 5 Ord Sept 25

Cloete-Smith, Edward Arnold, Westbourne st, Hyde Park, Paddington, Physician High Court Pet Sept 28 Ord Sept 28

Forward, William, Caerysgol Fach, Tonyrefail, Glam, Engineman Pontypridd Pet Sept 28 Ord Sept 29

Green, Reginald John, Leicester, Milliner Leicester Pet Sept 29 Ord Sept 29

Grimes, George Frederick, Wallheath, Staffs, Licensed Victualler Stourbridge Pet Sept 29 Ord Sept 29

Hargreaves, John Gardner, Lancaster, Carter Preston Pet Sept 30 Ord Sept 30

Haswell, Frederick Basil, Southsea, Hants, Tailor Portsmouth Pet Sept 28 Ord Sept 28

Heap, Aquila, Heywood, Lancs, Draper Bolton Pet Sept 29 Ord Sept 29

Hoole, George, and George Henry Hoole, Kingston upon Hull, Fruiterers and Grocers Kingston upon Hull Pet Sept 29 Ord Sept 29

Huggins, Henry Vane, King's Cross rd, Tobacconist High Court Pet Sept 22 Ord Sept 30

Hughes, David, Skewen, Glam, Doubler in Tinplate Works Neath Pet Sept 28 Ord Sept 28

Jacobs, John, Liverpool, Manufacturing Tailor Birkenhead Pet Sept 29 Ord Sept 29

Johnston, James Arthur, South Shields, Wine Merchant Newcastle on Tyne Pet Sept 28 Ord Sept 28

King & Co, Arthur, King William st, Stock Dealers High Court Pet Aug 11 Ord Sept 30

Lawrence, Edwin, Fore st, Upper Edmonton, Boot Dealer Edmonton Pet Sept 29 Ord Sept 29

McCoulough, David Wilson, Monkwearmouth, Sunderland, Publican Sunderland Pet Sept 26 Ord Sept 26

Newton, Albert William, and Edward John Newton, Carshalton, Market Gardeners Croydon Pet Sept 30 Ord Sept 30

North, Harry, Reading, Hosier Reading Pet Sept 26 Ord Sept 26

Page, George Henry, Weybridge, Grocer Kingston, Surrey Pet Sept 28 Ord Sept 28

Pearce, Henry Morton, Leeds, Photographer Leeds Pet Sept 29 Ord Sept 29

Porter, Walter, Round Oak, Staffs, Baker Stourbridge Pet Sept 11 Ord Sept 29

Ridout, Arthur Tom, Poole, Dorset, Butcher Poole Pet Sept 29 Ord Sept 29

Rolfe, William, Catford, Builder Greenwich Pet Aug 7 Ord Sept 29

Sibley, William George, Boscombe, Hants, Cycle Engineer Poole Pet Sept 15 Ord Sept 30

Simcox, John Edwin, Blackpool, Mineral Water Manufacturer Preston Pet Sept 5 Ord Sept 25

Smith, Charles, and George Morey, Fratton, Portsmouth, Builders Portsmouth Pet Sept 29 Ord Sept 29

Smith, William Henry, Hunslet, Leeds, Brassfounder Leeds Pet Sept 26 Ord Sept 26

Stacey, Thomas, Bexley, Kent, Builder Rochester Pet Sept 30 Ord Sept 30

Stubbs, Horace Lionel, Upham, nr Bishops Waltham, Southampton, Wheelwright Southampton Pet Sept 30 Ord Sept 30

Townsend, Harry, Barnsley, Baker Barnsley Pet Sept 30 Ord Sept 30

Ward, Thomas, Totteridge rd, Enfield Wash, Ponders End Edmonton Pet Aug 29 Ord Sept 28

Watson, John, Seaforth, Bottle Brush Maker Liverpool Pet Sept 30 Ord Sept 30

Wilson, Charles Bedford, Masbrough, Rotherham, Yorks, Printer Sheffield Pet Sept 28 Ord Sept 28

FIRST MEETINGS.

Almey, Arthur, Middlesbrough, Coal Dealer Oct 12 at 11.30 Off Rec, Court chmbrs, Albert rd, Middlesbrough

Anderson, Harry, Bedale, Yorks, Coach Builder Oct 13 at 12 Off Rec, Court chmbrs, Albert rd, Middlesbrough

Arnold, T, & Co, Wool Exchange, Coleman st, Stock Dealers Oct 13 at 11 Bankruptcy bldgs, Carey st

ATKINSON, CHARLES HENRY, High Garrett, Braintree, Essex, Licensed Victualler Oct 14 at 3 14, Bedford row

BIDDICK, FRANK, Okehampton, Devon, Butcher Oct 13 at 4 White Hart Hotel, Okehampton

BLOOMFIELD, ALBERT EDWARD, Walton on Thames, Corn Merchant Oct 12 at 11.30 132, York rd, Westminster Bridge

BORTOFT, WILLIAM, South Milford, Yorks, Grocer Oct 12 at 11 Off Rec, 6, Bond terr, Wakefield

BRAIN, CHARLES, Aberdare, Glam, Collier Oct 13 at 12 Off Rec, County Court, Town Hall, Merthyr Tydfil

BURNETT, FRANCIS, and DANIEL BURNETT, Marden, Hereford, Farmers Oct 10 at 12 2, Offa st, Hereford

CAUNTER ERNEST HENRY, Paignton, Builder Oct 13 at 11 7, Buckland terr, Plymouth

CLOETE-SMITH, EDWARD ARNOLD, Westbourne st, Hyde Park, Paddington, Physician Oct 12 at 12 Bankruptcy bldgs, Carey st

DEELEY, ARTHUR ERNEST JOSEPH, Church End, Finchley, Commercial Traveller Oct 14 at 12 14, Bedford row

DRABBLE, FREDERICK PEARSON, Hackney, Chemist Oct 12 at 11 Bankruptcy bldgs, Carey st

DUDLEY, EDWARD, Eastbourne, Greengrocer Oct 13 at 12 Off Rec, 4, Pavilion bldgs, Brighton

EVANS, EDWARD OWEN, Drefechan Farm, Penycae, Ruabon, Denbigh, Farmer Oct 14 at 12.30 Crypt chmbrs, Eastgate row, Chester

FORWARD, WILLIAM, Caerysgol Fach, Tonyrefail, Glam, Electric Engineman Oct 13 at 10.30 Off Rec, Post Office chmbrs, Pontypridd

GILES, EDWIN, Hollinwood, nr Oldham, Ironmonger Oct 13 at 12 Off Rec, Greaves st, Oldham

GOARD, THOMAS, St Blazey, Cornwall, Miner Oct 10 at 11 Off Rec, Boscawen st, Truro

GREEN, REGINALD JOHN, Leicester, Milliner Oct 13 at 12 Off Rec, 1, Berridge st, Leicester

HASWELL, FREDERICK BASIL, Southsea, Tailor Oct 13 at 3 Off Rec, Cambridge junction, High st, Portsmouth

HEAP, AQUILA, Heywood, Lancs, Draper Oct 13 at 3 19, Exchange st, Bolton

HOBY, HENRY JAMES, Brighton Oct 15 at 10.30 Off Rec, 4, Pavilion bldgs, Brighton

HUGGINS, HENRY VANE, King's Cross rd, Tobacconist Oct 12 at 1 Bankruptcy bldgs, Carey st

JOHNSTON, JAMES ARTHUR, South Shields, Durham, Wine Merchant Oct 12 at 11 Off Rec, 30, Mosley st, Newcastle upon Tyne

JONES, EVAN, Eglwysbach, Denbigh, Licensed Victualler Oct 14 at 12 Crypt chmbrs, Eastgate row, Chester

KENT, THOMAS HENRY, Alverstoke, Hants, Fruiterer Oct 13 at 12 Off Rec, Cambridge junction, High st, Portsmouth

KING & Co, ARTHUR, King William st, Stock Dealers Oct 13 at 12 Bankruptcy bldgs, Carey st

LAWRENCE, EDWIN, Fore st, Upper Edmonton, Boot Dealer Oct 12 at 12 14, Bedford row

LUGG, JOHN BRADLEY, Kidderminster, Saddler Oct 16 at 1.30 Messrs Ivens & Co, Solicitors, Kidderminster

MURPHY, HARRY ARTHUR, Quinton, Worcester, Boot Repairer Oct 12 at 11 Off Rec, 199, Wolverhampton st, Dudley

NORTH, HARRY, Reading, Hosier Oct 12 at 3 14, Bedford row

PAGE, GEORGE HENRY, Weybridge, Grocer Oct 12 at 12 132, York rd, Westminster Bridge

PAGE, JAMES ALBERT, Landford, Wilts, Market Gardener Oct 13 at 12 Off Rec, City chmbrs, Catherine st, Salisbury

PEARCE, HENRY MORTON, Leeds, Photographer Oct 12 at 11.30 Off Rec, 24, Bond st, Leeds

RANSOM, ALFRED JAMES, Gloucester, Chorister Oct 10 at 12 Off Rec, Station rd, Gloucester

REDHEAD, WILLIAM HENRY GEORGE, Cleethorpes, Ironmonger Oct 10 at 11 Off Rec, St Mary's chmbrs, Great Grimsby

RIDOUT, ARTHUR TOM, Poole, Dorset, Butcher Oct 10 at 10.30 Messrs Curtis & Son's Office, 158, Old Christchurch rd, Bournemouth

SCHWARTZ, SIMON, Southport, Picture Dealer Oct 13 at 11 Off Rec, 35, Victoria st, Liverpool

SIBLEY, WILLIAM GEORGE, Boscombe, Hants, Motor Engineer Oct 10 at 11 Messrs Curtis & Son's Office, 158, Old Christchurch rd, Bournemouth

SMITH, CHARLES, and GEORGE MOREY, Buckland, Portsmouth, Builders Oct 14 at 3 Off Rec, Cambridge junction, High st, Portsmouth

SMITH, WILLIAM HENRY, Hunslet, Leeds, Brassfounder Oct 12 at 11 Off Rec, 24, Bond st, Leeds

STUBBS, HORACE LIONEL, Upham, nr Bishops Waltham, Southampton, Wheelwright Oct 12 at 10.30 Off Rec, Midland Bank chmbrs, High st, Southampton

TEASEL, MARTHA JANE, Oldham, Milliner Oct 13 at 11 Off Rec, Greaves st, Oldham

WHITE, ARTHUR JAMES, King's Lynn, Coal Dealer Oct 10 at 12.30 Off Rec, 8, King st, Norwich

WILLIAMS, ELLIS LLOYD, Penmachno, Carnarvon, Tailor Oct 14 at 11.30 Crypt chmbrs, Eastgate, row, Chester

WILLIAMS, JOSHUA, Tipton, Staffs, Baker Oct 12 at 11 30 Off Rec, 199, Wolverhampton st, Dudley

ADJUDICATIONS.

ADAMS, DANIEL, Merthyr Tydfil, Colliery Watercourses Repairer Merthyr Tydfil Pet Sept 30 Ord Sept 30

ALMEY, ARTHUR, Middlesbrough, Coal Dealer Middlesbrough Pet Sept 28 Ord sept 28

BRAIN, CHARLES, Aberdare, Glam, Collier Aberdare Pet Sept 28 Ord Sept 28

FORWARD, WILLIAM, Tonyrefail, Glam, Electric Engineman Pontypridd Pet Sept 28 Ord Sept 28

GREEN, REGINALD JOHN, Leicester, Fancy Draper Leicester Pet Sept 29 Ord Sept 29

GRIMES, GEORGE FREDERICK, Wallheath, Staffs, Licensed Victualler Stourbridge Pet Sept 29 Ord Sept 29

HARGREAVES, JOHN GARDNER, Lancaster, Carter Preston Pet Sept 30 Ord Sept 30

HASWELL, FREDERICK BASIL, Southsea, Hants, Tailor Portsmouth Pet Sept 26 Ord Sept 28

HEAP, AQUILA, Heywood, Lancs, Draper Bolton Pet Sept 29 Ord Sept 29

HOOLE, GEORGE, and GEORGE HENRY HOOLE, Kingston upon Hull, Fruiterers Kingston upon Hull Pet Sept 29 Ord Sept 29

HUGHES, DAVID, Skewen, Glam. Doubler in Tin Plate Works Neath Pet Sept 28 Ord Sept 28

JOHNSTON, JAMES ARTHUR, South Shields, Wine Merchant Newcastle on Tyne Pet Sept 28 Ord Sept 28

LAWRENCE, EDWIN, Fore st, Upper Edmonton, Boot Dealer Edmonton Pet Sept 29 Ord Sept 29

MCCOULOUGH, DAVID WILSON, Monkwearmouth, Sunderland, Publican Sunderland Pet Sept 26 Ord Sept 26

NORTH, HARRY, Reading, Hosier Reading Pet Sept 26 Ord Sept 26

PAGE, GEORGE HENRY, Weybridge, Grocer Kingston Surrey Pet Sept 28 Ord Sept 28

PEARCE, HENRY MORTON, Leeds, Photographer Leeds Pet Sept 29 Ord Sept 29

RIDOUT, ARTHUR TOM, Poole, Dorset, Butcher Poole Pet Sept 29 Ord Sept 29

SIMCOX, JOHN EDWIN, Blackpool, Mineral Water Manufacturer Preston Pet Sept 5 Ord Sept 28

SMITH, WILLIAM HENRY, Hunslet, Leeds, Brassfounder Leeds Pet Sept 26 Ord Sept 26

STACEY, THOMAS, Bexley, Kent, Builder Rochester Pet Sept 30 Ord Sept 30

STUBBS, HORACE LIONEL, Upham, nr Bishops Waltham, Southampton, Wheelwright Southampton Pet Sept 30 Ord Sept 30

TEASEL, MARTHA JANE, Oldham, Lodging House Keeper Oldham Pet Sept 18 Ord Sept 26

TOWNSEND, HARRY, Barnsley, Baker Barnsley Pet Sept 30 Ord Sept 30

VAN RAALTE, LION, Pandora rd, West Hampstead High Court Pet Aug 29 Ord Sept 29

WILLMOTT, LOUIS, Bereers mews, Oxford st High Court Pet Aug 28 Ord Sept 29

WILSON, CHARLES BEDFORD, Maebrough, Rotherham, Yorks, Printer Sheffield Pet Sept 28 Ord Sept 28

Amended Notice substituted for that published in the London Gazette of Sept 22:

LUXFORD, THOMAS, Merthyr Tydfil, Baker Merthyr Pet Sept 9 Ord Sept 18

London Gazette.—TUESDAY, Oct. 6.

RECEIVING ORDERS.

AGI, RAHAMIN, Houndsditch, Warehouseman High Court Pet Oct 3 Ord Oct 3

BELL, WILLIAM, Swaby, Lincs, Miller's Assistant Great Grimsby Pet Sept 30 Ord Sept 30

BENSON, JOSEPH, Oldham, Draper Oldham Pet Oct 1 Ord Oct 1

BERESFORD, ROBERT, Newcastle under Lyme, Staffs, Motor Agent Hanley Pet Oct 3 Ord Oct 3

BINGHAM, JOHN ALFRED, Midgate, Peterborough, Innkeeper Peterborough Pet Oct 2 Ord Oct 2

BOARER, ABNER SPRINGETT, Lesney Abbey Farm, Abbey Wood, Kent, Farmer Rochester Pet Oct 1 Ord Oct 1

BURNHAM, WALTER, Aston Clinton, Bucks, Coal Merchan Aylesbury Pet Oct 3 Ord Oct 3

CARMAN, JOHN, Norwich, Insurance Clerk Norwich Pet Oct 1 Ord Oct 1

CHALLINOR, PERCY GRAHAM, Scarborough, Farmer Scarborough Pet Sept 29 Ord Oct 1

CUMMING, E H S, Harrow, Builder St Albans Pet Sept 9 Ord Sept 30

FANE, NORRIS, Southport, Plumber Liverpool Pet Oct 2 Ord Oct 2

FLETCHER, HERBERT EDWARD, Derby, Butcher Derby Pet Sept 29 Ord Sept 29

GOODRICH, ALFRED MORRIS, Highbury New pk, Tailor High Court Pet Sept 12 Ord Oct 2

HILL, ALBERT W B, Craigmore, Harlington Windsor Pet April 2 Ord July 25

HILL, EDWARD COLSTON, Bedminster, Bristol, Insurance Agent Bristol Pet Sept 14 Ord Oct 2

HOGBEN, EDWARD, Selling, nr Faversham, Kent, Carpenter Canterbury Pet Oct 3 Ord Oct 3

KIRBY, DAVID, Seaton Carew, Durham, Butcher Sunderland Pet Sept 30 Ord Sept 30

MOKLER, ELWYN WALTER, Dungerford rd, Holloway, Works Manager High Court Pet Oct 1 Ord Oct 1

MURRELL, WILLIAM HENRY, Gillingham, Kent, Grocer Rochester Pet Oct 2 Ord Oct 2

OWEN, JOHN WARDEN, Wellington, Salop, Tailor Madeley Pet Sept 24 Ord Oct 3

PIDSLEY, RICHARD HENRY, David's Hill, Exeter, Baker Exeter Pet Oct 2 Ord Oct 2

POPPLETON, JOHN DYSON, Seagrave, Leicester, Poultry Farmer Leicester Pet Oct 1 Ord Oct 1

PYNAR, WILLIAM JOHN, Woodton, Norfolk, Farmer Great Yarmouth Pet Oct 3 Ord Oct 3

REES, ENOCH, Shrew-bury, Commercial Traveller Shrewsbury Pet Oct 2 Ord Oct 2

RICHARDSON, GEORGE RICHARD, Surbiton, Surveyor Kingston, Surrey Pet June 25 Ord Oct 1

ROBERTS, DAVID, Castellmai, Waenfawr, Carnarvon, Farmer Bangor Pet Oct 2 Ord Oct 2

ROBERTS, THOMAS OWEN, Colwyn Bay, Denbigh, Carrier Bangor Pet Oct 2 Ord Oct 2

ROBINSON, FRANK E, St George's sq, Regent's Park High Court Pet June 16 Ord Oct 1

SAGE, ISAAC JOHN, Scarborough, Tobacconist Scarborough Pet Oct 3 Ord Oct 3

SECKINGTON, GEORGE, Weston by Weedon, nr Towcester, Northampton, Blacksmith Northampton Pet Oct 1 Ord Oct 1

SEDMAN, MARY ELIZABETH, Scarborough, Tobacconist Scarborough Pet Oct 3 Ord Oct 3

SHARPE, JOHN HERON, Folkestone, Fly Proprietor Canterbury Pet Oct 1 Ord Oct 1

SLATER, HARRY, Leeds, Fish Dealer Leeds Pet Oct 1 Ord Oct 1

SMITH, THOMAS, Platt Bridge, nr Wigan, Decorator Wigan Pet Oct 2 Ord Oct 2

THOMPSON, WILLIAM OSWELL, Emsworth, Hants Portsmouth Pet Sept 15 Ord Oct 2

WARNES, WALLACE ROBERT, Norwich, Coal Hawker Norwich Pet Oct 2 Ord Oct 2

WATKINS, WALTER, Astwood, Worcester, Hotel Keeper Worcester Pet Sept 21 Ord Oct 1

WATTS, CHARLES, Marcham le Fen, Lincs, Publican Lincoln Pet Sept 16 Ord Oct 1

WILSON, CYRIL, Victoria st High Court Pet Oct 1 Ord Oct 1

FIRST MEETINGS.

ADAMS, DANIEL, Merthyr Tydfil, Colliery Watercourses Repairer Oct 15 at 12 Off Rec, County Court, Townhall, Merthyr Tydfil

BARNES, JOHN, Reddish, Lancs, Greengrocer Oct 15 at 2.45 Off Rec, Castle chmbrs, 6, Vernon st, Stockport

BARTON & HARVEY, Bristol, Merchants Oct 14 at 11.45 Off Rec, 26, Baldwin st, Bristol

BELL, WILLIAM, Swaby, Lincs, Miller's Assistant Oct 14 at 11 Off Rec, St Mary's chmbrs, Great Grimsby

BENSON, JOSEPH, Oldham, Draper Oct 16 at 12 Off Rec, Greaves st, Oldham

CARMAN, JOHN, Norwich, Insurance Clerk Oct 14 at 12 Off Rec, 8, King st, Norwich

FEATHERSTONE, ELLERA, Nelson, Lancs, Tailor Oct 14 at 11 Off Rec, 13, Winckley st, Preston

GOODRICH, ALFRED MORRIS, Highbury New park, Tailor Oct 16 at 12 Bankruptcy bldgs, Carey st

GRIMES, FREDERICK GEORGE, Wall Heath, Staffs, Licensed Victualler Oct 20 at 11.30 Off Rec, 199, Wolverhampton, Dudley

HANDLEY, WILLIAM HOPPETT, Bournemouth Oct 14 at 12 Messrs Lamb & Co, Solicitors, Basingstoke

HERBERT, HENRY WILLIAM, and JOHN BASS, Coventry, Builders Oct 14 at 11 Off Rec, 8, High st, Coventry

HILL, EDWARD COLSTON, Bedminster, Bristol, Insurance Agent Oct 14 at 11.30 Off Rec, 26, Baldwin st, Bristol

HOOLE, GEORGE, and GEORGE HENRY HOOLE, Kingston upon Hull, Fruiterers Oct 14 at 11 Off Rec, York City Bank chmbrs, Lowgate, Hull

HUGHES, DAVID, Skewen, Glam, Doubler in Tinplate Works Oct 15 at 10.45 Off Rec, 31, Alexandra rd, Swansea

MCCOULOUGH, DAVID WILSON, Monkwearmouth, Sunderland, Publican Oct 15 at 2.30 Off Rec, 3, Manor pl, Sunderland

MILLER, JAMES FREDERICK, Heston Norris, Lancs, Undertaker Oct 15 at 3.15 Off Rec, Castle chmbrs, 6, Vernon st, Stockport

MILLS, CHARLES HENRY, Tydd Saint Mary, Lincoln, Grocer Oct 14 at 11.45 Court house, King's Lynn

MOELER, ELWYN WALTER, Hungerford rd, Holloway, Works Manager Oct 16 at 11 Bankruptcy bldgs, Carey st

MURRELL, WILLIAM HENRY, Gillingham, Kent, Grocer Oct 19 at 12 115, High st, Rochester

NEWTON, ALBERT WILLIAM, and EDWARD JOHN NEWTON, Carshalton, Surrey, Market Gardeners Oct 14 at 12 132, York rd, Westminster Bridge

OWEN, JOHN WARDEN, Wellington, Salop, Tailor Oct 14 at 2.30 Charlton Arms Hotel, Wellington

PEARSE, MATTHEW JAMES, Morriston, Saddler Oct 15 at 11.15 Off Rec, 31, Alexandra rd, Swansea

PIDSLEY, RICHARD HENRY, St David's Hill, Exeter, Baker Oct 22 at 10.30 Off Rec, 9, Bedford circus, Exeter

POPPLETON, JOHN DYSON, Seagrave, Leicester, Poultry Farmer Oct 14 at 12 Off Rec, 1, Berridge st, Leicester

RALPH, MATTHEW HUBERT, Kington Magna, nr Gillingham, Dorset, Blacksmith Oct 15 at 1 Off Rec, City chmbrs, Catherine st, Salisbury

REES, ENOCH, Shrewsbury, Commercial Traveller Oct 17 at 11.30 Off Rec, 22, Swan hill, Shrewsbury

RICHARDS, DAVID WALTER, Maesteg, Glam, Grocer Oct 14 at 3 Off Rec, 117, St Mary st, Cardiff

RICHARDSON, GEORGE RICHARD, Surbiton, Surveyor Oct 16 at 11.30 132, York rd, Westminster Bridge

ROBINSON, FRANK E, St George's sq, Regent's Park Oct 15 at 12 Bankruptcy bldgs, Carey st

ROLFE, WILLIAM, Catford, Kent, Builder Oct 14 at 11.30 132, York rd, Westminster Bridge

SLATER, HARRY, Leeds, Fish Dealer Oct 14 at 11 Off Rec, 24, Bond st, Leeds

SMITH, THOMAS, Platt Bridge, nr Wigan, Decorator Oct 16 at 3 19, Exchange st, Bolton

STACEY, THOMAS, Bexley, Kent, Builder Oct 19 at 12.15 115, High st, Rochester

THOMAS, HAROLD, Wolverhampton, Printer Oct 14 at 11 Off Rec, Wolverhampton

TOWNSEND, HARRY, Barnsley, Baker Oct 14 at 10.30 Off Rec, 7, Regent st, Barnsley

WARNES, WALLACE ROBERT, Norwich, Coal Hawker Oct 14 at 12.30 Off Rec, 8, King st, Norwich

WATSON, JOHN, South Seaforth, Lancs, Bottle Brush Maker Oct 14 at 12 Off Rec, 35, Victoria st, Liverpool

WATWELL, ALBERT JAMES, Prescot, Butcher Oct 14 at 11 Off Rec, 35, Victoria st, Liverpool

WILLIAMS, ANN, Llandudno, Lodging house Keeper Oct 14 at 2.30 Crypt chmbrs, Eastgate row, Chester

WILLIAMS, FREDERICK, Gunnislake, Cornwall, Baker Oct 15 at 2.30 7, Buckland terr, Plymouth

WILSON, CHARLES BEDFORD, Masbrough, Rotherham, Yorks, Printer Oct 14 at 12 Off Rec, Figtree ln, Sheffield

WILSON, CYRIL, Victoria st Oct 14 at 1 Bankruptcy bldgs, Carey st

ADJUDICATIONS.

AGI, RAHAMIN, Houndsditch, Warehouseman High Court Pet Oct 3 Ord Oct 3

BAKER, JAMES, and JOHN BAKER, Bexhill, Builders Hastings Pet March 14 Ord Sept 25

BELL, WILLIAM, Swaby, Lincs, Miller's Assistant Great Grimsby Pet Sept 30 Ord Oct Sept 30

BENSON, JOSEPH, Oldham, Lancs, Draper Oldham Pet Oct 1 Ord Oct 1

BERESFORD, ROBERT, Newcastle under Lyme, Staffs, Motor Agent Hanley Pet Oct 3 Ord Oct 3

BINGHAM, JOHN ALFRED, Midgate, Peterborough, Innkeeper Peterborough Pet Oct 2 Ord Oct 2

BOAZER, ABNER SPRINGETT, Abbey Wood, Kent, Farmer Rochester Pet Oct 1 Ord Oct 1

BRITZ, MORRIS, and HARRIS ROSIN, Fleurdelis, Pengam, Mon, Boot Dealers Tredegar Pet Sept 5 Ord Oct 3

BURNHAM, WALTER, Aston Clinton, Buckingham, Coal Merchant Aylesbury Pet Oct 3 Ord Oct 3

CARMAN, JOHN, Norwich, Insurance Clerk Norwich Pet Oct 1 Ord Oct 1

CHALLINOR, PERCY GRAHAM, Scarborough, Farmer Scarborough Pet Sept 29 Ord Oct 2

DARBRIDGE, ALFRED CHARLES, Deptford, Printer Greenwich Pet Aug 7 Ord O

FANE, NORRIS, Southport, Plumber Liverpool Pet Oct 2 Ord Oct 2

FLETCHER, HERBERT EDWARD, Derby, Butcher Derby Pet Sept 29 Ord Sept 29

HOOBEN, EDWARD, Selling, nr Faversham, Kent, Carpenter Canterbury Pet Oct 3 Ord Oct 3

HUGGINS, HENRY VANES, King's Cross rd, Tobacconist High Court Pet Sept 22 Ord Oct 2

JACOBS, JOHN, Liverpool, Manufacturing Tailor Birkenhead Pet Sept 29 Ord Oct 2

KIRBY, ALBERT JOHN, Portsea, Hants, Licensed Victualler Portsmouth Pet Sept 9 Ord Oct 1

KIRBY, DAVID, Seaton Carew, Durham, Butcher, Sunderland Pet Sept 30 Ord Sept 30

MOELER, ELWYN WALTER, Hungerford rd, Holloway, Works Manager High Court Pet Oct 1 Ord Oct 1

PIDSLEY, RICHARD HENRY, Exeter, Baker Exeter Pet Oct 2 Ord Oct 2

POPPLETON, JOHN DYSON, Seagrave, Leicester, Poultry Farmer Leicester Pet Oct 1 Ord Oct 1

PORTER, WALTER, Round Oak, Staffs, Baker Stourbridge Pet Sept 11 Ord Oct 2

PYMAR, WILLIAM JOHN, Woodton, Norolk, Farmer Great Yarmouth Pet Oct 3 Ord Oct 3

REES, ENOCH, Shrewsbury, Commercial Traveller Shrewsbury Pet Oct 2 Ord Oct 2

ROBERTS, DAVID, Castellmai, Waenfawr, Carnarvon, Farmer Bangor Pet Oct 2 Ord Oct 2

SAGE, ISAAC JOHN, Scarborough, Tobacconist Scarborough Pet Oct 3 Ord Oct 3

SECKINGTON, GEORGE, Weston by Weedon, nr Towcester, Northampton, Blacksmith Northampton Pet Oct 1 Ord Oct 1

SEDMAN, MARY ELIZABETH, Scarborough, Tobacconist Scarborough Pet Oct 3 Ord Oct 3

SHARPE, JOHN HERON, Folkestone, Fly Proprietor Canterbury Pet Oct 1 Ord Oct 1

SILSBY, THOMAS, Eden grove, Holloway High Court Pet Aug 27 Ord Sept 30

SLATER, HARRY, Leeds, Fruit Dealer Leeds Pet Oct 1 Ord Oct 1

SMITH, THOMAS, Platt Bridge, nr Wigan, Decorator Wigan Pet Oct 2 Ord Oct 2

THOMAS, HAROLD, Wolverhampton, Printer Wolverhampton Pet Sept 1 Ord Oct 2

TROWER, HERBERT ARTHUR, Clarendon ct, Maida Vale, Financier High Court Pet June 27 Ord Oct 3

WARNES, WALLACE ROBERT, Norwich, Coal Hawker Norwich Pet Oct 2 Ord Oct 2

WATSON, JOHN, Seaforth, Lancs, Bottle Brush Maker Liverpool Pet Sept 30 Ord Oct 3

WILLIAMS, FREDERICK, Gunnislake, Cornwall, Baker Plymouth Pet Aug 14 Ord Sept 30

WILSON, CYRIL, Victoria st High Court Pet Oct 1 Ord Oct 1

Amended Notice substituted for that published in the London Gazette of July 31:

DANGZKER, EPHRAIM, and BENJAMIN GOLDSTEIN, London ln, Hackney, Show Case Makers High Court Pet July 27 Ord July 27